File Microcopies of Records in the National Archives: No. 112

Roll 43

DESPATCHES FROM UNITED STATES CONSULS IN SHANGHAI, 1847-1906

Volume 43

August 3, 1895 - December 31, 1897

THE NATIONAL ARCHIVES

Washington: 1947

INTRODUCTORY NOTE

The volume microcopied on this roll has the following backstrip title: "43 / Shanghai / August 3, 1895 / December 31, 1897 / Department / of State." It contains despatches, with enclosures, addressed to the Department of State from United States consular officials at Shanghai, China, between August 3, 1895, and December 31, 1897. The contents are registered on Roll 1 of the microcopy.

The volume is part of a body of records in the National Archives designated as Record Group No. 59, General Records of the Department of State. It is volume 43 of a series generally referred to as Consular Despatches, Shanghai.

CHIEF CLERK,
Received.....
AUG 3 1895
Department of State.

TELEGRAM RECEIVED.

To Navy Dept. Aug. 8, 1895

2D ASSISTANT SECRETARY.
Instruction to Viceroy to ask protection. Cablegram
Ans'd by cable.
AUG 3 1895

From Shanghai

Aug 3, 1895

Received 12 40 P M.

INDEX BUREAU
REC'D.
AUG 7 1895
DEPT. OF STATE

Washington.

Riot Kucking Kills Hartford American badly wounded.

Five British Missionary ladies Killed.

Jernigan.

U.S. Consulate General
Shanghai, August 3. 1895

No. 3.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
ONNECTS ALSO WITH FOUR ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
ABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:

All Offices (21,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:

NDON:
No. 21 Royal Exchange, E. C.
No. 109 Fenchurch Street, E. C.

LIVERPOOL: A5 Exchange Buildings
GLASGOW: No. 29 Gordon Street.
BRISTOL: Backhall Chambers.

CHIEF CLERK
Received 11.15 P.M.
AUG 3 1895
Department of State.

NUMBER	SENT BY	REC'D BY	No. OF WORDS.	FROM
25	My	Jm	21	Shanghai

ECEIVED at 1054 Aug 3 1895

Usl Washington

Can go near Scene in Small boats urge admiral Land marines and shoot the murderers of our ladies

Jernigan

9. Navy Dept. Aug. 9/95

Confirming My telegram

U. S. Consulate General
Shanghai, August 4. 1895

No. 8.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

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OFFICES IN GREAT BRITAIN:

NDON:
No. 21 Royal Exchange, E. C.
No. 109 Fenchurch Street, E. C.
LIVERPOOL: 45 Exchange Buildings.
GLASGOW: No. 29 Gordon Street.
BRISTOL: Backhall Chambers.

CHIEF CLERK
Received
AUG 1895
Dept. of State.

NUMBER	SENT BY	RECEIVED	No. OF WORDS.	FROM
4	Raum	10		Shanghai

ECEIVED at Washington ~~July 31~~ Aug 4 1895

Dept. Navy Depot Aug. 7/95

Confirmed - Copy of Spirit Aug 5, 95

Uhl

Wait

American Safe None hurt

ten british Killed

Jernigan

TELEGRAM RECEIVED.

INDEX BUREAU
REC'D.
AUG 7 1895
DEPT. of STATE

DIPLOMATIC BUREAU
AUG 8 1895

From Shanghai

Aug 6, 1895

Received M.

To Navy Dept Aug 8/95

Confirmed Aug. 10, 95

Wkl

Washington

Nixon wires American Mission property Yangtsze Courts Details of Kucheng Massacre Horrible

Houses Stealthily Surrounded and Sleeping Ladies and Children Speared to death

Situation unsettled.

Jernigan.

No. 91.

Consulate-General U. S. A.,

Shanghai China August 10 1895.

RECEIVED
AUG 26 1895
DEPT. OF STATE

Mr. Jernigan

To the Department of State.

file

Subject:

Donations versus cablegrams.

Abstract of Contents.

No. 91.

Consulate-General, U. S. A.,

Shanghai China August 12th 1895.

Honorable Edwin F. Uhl

Assistant Secretary of State,

Washington, D. C.

Sir:

On the 3rd I had the honor to cable you as follows:

"Riot Kuching Wuhu Watford
"American badly wounded Five
"British missionaries ladies killed"

This was the first news of the riot from our Consul at Foochow Mr. Tyson.

On the 4th the news received from Consul Tyson caused me to cable again as follows:

"Americans safe None
"hurt Ten British killed."

Soon after sending this last cablegram I received on the 4th the Departments cablegram as follows:

"Minister

"Minister instructed if Kucheng
"accessible advise Admiral"

As it is
uncertain in times of riots that
telegrams over the Chinese lines
will be delivered I thought it
advisable to indicate the means of
approaching Kucheng and the
proper remedy for the Chinese
visitors and murders by the following
cablegram of the 4th.

"Dai go near scene
"of massacre in small boats. Urge
"Admiral land marines and shoot
"the murders of our ladies"

I am Sir,
Your obedient servant
W. Ferguson
Consul General

No. 92

INDEX BUREAU
REC'D.
6. 1895
DEPT. OF STATE

Consulate-General, U. S. A.,

Shanghai China August 10th 1895.

Mr. Jernigan,

To the Department of State.

Recd. Sept. 10. '95

Subject:

Kucheng massacre.

Abstract of Contents.

No. 93

Consulate-General, U. S. A.,

Shanghai China August 10th, 1895.

Honorable Edwin F. Uhl

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to enclose three statements with reference to the Kucheng massacre:

1 By Rev. H. S. Phillips English Church Mission.

1 By Dr. Gregory, American Episcopal Methodist Mission.

1 By Miss Hartford A. M. E. Mission.

I have compared these printed statements with information sent me by Consul Wilson at Foochow and they correspond in substance and all material particulars.

Soon after the Chungtu riot

riot, which occurred in May, the American citizens at Shanghai held a meeting to express sympathy for the sufferers and to collect evidence of the riot and the consequences. Several Americans who lost property at Nanking and who were there and witnessed the riot were at the meeting. A written invitation was sent me to attend. I accepted and counselled with my countrymen as to the proper course to present the American side of the case to Minister Denby. The meeting was composed solely of Americans and a committee was appointed to collect the evidence and draft resolutions.

The evidence consisted of statements by eye witnesses, the proclamations of the Nanking officials, and the placards posted about the city previous to the riot. The resolutions were expressive of sympathy and indicative of the remedy to

to prevent future riots. All these Papers have been sent you in Previous despatches. At the request of the committee I sent + Minister Denby copies.

The Ministers appeared to understand that the meeting favored independent action, and so wrote me, but doubtless my answer has removed such an impression.

The object of the American + meeting was simply to collect + evidence of the wrongs and losses sustained by Americans and to send evidence to Minister Denby in order that he might have the facts upon which to consider any plan of cooperation deemed necessary.

The Americans in Korea are loyal to their + government and all I have seen and talked with are patriotic + citizens. They do not wish to take any action tending to conflict with

with the Policy of their government.
nor do they desire cooperating
with a friendly Power but when
the homes of their friends and
countrymen have been burnt by
a mob. they feel that they should
denounce the vandalism, and submit
to their representative the evidence
of their wrongs.

I am Sir.
Your obedient servant
W. Ferguson
Consul General.

One enclosure as stated.

THE KUCHENG MASSACRE.

LIST OF KILLED.

TEN VICTIMS OF MANDARIN FEROCITY AND FOREIGN OFFICIAL APATHY.

(*From Our Own Correspondent.*)
Foochow, Aug. 4th, 3 p.m

The names of the butchered English people are as follows:

Miss ELSIE MARSHALL, Miss ANNIE GORDON, Miss BESSIE (? "NESSIE") NEWCOMBE, Miss FLORA STEWART, Miss NELLIE SAUNDERS, Miss TOPSY SAUNDERS, Rev. and Mrs. STEWART, and Miss LENA STEWART, killed. Of the five STEWART children at Whashang, a boy, HERBERT, died on the way to Foochow; a baby lost one eye, and another had a broken knee.

Miss HARTFORD, Miss CODRINGTON, and the Rev. Mr. PHILLIPS are saved.

All the ladies killed belong to the English Church Mission as do Miss CODRINGTON and Mr. PHILLIPS, Miss HARTFORD is a member of the American Episcopal Mission. We have heard from another source that Dr. GREGORY of the A. E Mission also escaped.

ANOTHER ACCOUNT.

(*From Our Own Correspondent.*)
Foochow, August 4th, 1895.
2.50 p.m

Ten killed, four seriously wounded, bodies expected this morning. Killed on the spot: Misses MARSHALL, GORDON, NEWCOMBE, T. SAUNDERS, N SAUNDERS, Mr. and Mrs. STEWART, HERBERT STEWART and nurse LENA—Miss CODRINGTON lying with severe wounds on head, face, and body. MILDRED STEWART serious cut in knee joint. STEWARTS' thirteen months' babe stabbed in eye, brain split. Little KATHLEEN and EVAN STEWART escaped with small skin scratches. All the above belong to English Mission. Miss HARTFORD slightly beaten. Doctor GREGORY ten miles distant in Kucheng city unmolested, last two belong American Mission. The U. S. Consul on receipt of news immediately despatched rescuing party in launch under charge of U. S. Marshall with provisions, medicines etc. They met suffering survivors few miles below Chuikan. A few hours afterwards the party reached Foochow; sufferers immediately sent to the hospitals and received careful attention, now doing well but by no means certain Miss CODRINGTON and STEWART'S baby will live. Others beyond danger. Vegetarians said numbering about 100 strong engaged in massacre, after terrible slaughter of men women and children. they disappeared as suddenly as they had come carrying with them their plunder before burning houses. Mr. and Mrs. STEWART'S nurse LENA. and Miss T. SAUNDERS burnt to ashes in house; no post-mortem mutilation attempted on bodies.

FIENDISH ATROCITIES.

STATEMENTS BY EYE-WITNESSES.

(*By Telegraph*)
Foochow, August, 5th 1895

Rev. H. S. PHILLIPS, English Church Mission, has made the following statement:

About 6 30 a.m., August 1st hearing shouting from the direction of the STEWART house (I was sleeping in a house five minutes' walk off, though spending most of the day with the STEWARTS) I went out and at first thought it was a number of children playing. But soon I was convinced that the voices were those of excited men and started off for the house. I was soon met by a native who almost pulled me back shouting the "Vegetarians" had come. I said I must go on and soon got in sight of the house and could see numbers of men, say forty or fifty carrying off loads of plunder. One man seemed to be leader carrying a small red flag. I could see nothing of our Europeans; as this was in full view of the rioters I crept up a hill in the bushwood and got behind two trees from twenty to thirty yards from the house. Here I could see everything and appeared not to be seen at all. As I could still see no foreigners I concluded they had escaped off, and as to go down was certain death I thought better to wait where I was. After a minute or two the retreat horn sounded and the Vegetarians began to leave but before they did so they set fire to the houses, ten minutes after this every Vegetarian had gone. I came down looked about the front of the house, but could see nothing of any one, though I feared something dreadful had happened as I heard the Vegetarians as they left say repeatedly "Now all the foreigners are killed" I just then met one of the servants who told me the children were in the house in which Miss HARTFORD of the American Mission was staying, I found Mr. STEWART'S eldest daughter MILDRED here with a serious wound on one knee, and another severe cut. When I had washed these and put what old calico we had to staunch the bleeding I turned to HERBERT, Mr. STEWART'S son who was fearfully hacked almost everywhere. Then Miss CODRINGTON sent me a message that she was too in the house.

I found her in a fearful condition, but with cold water rags we managed to staunch the bleeding. She begged me not wait as she thought Miss TOPSY SAUNDERS was still alive, I then rushed up to the back of the house and found the bodies of Miss T. SAUNDERS, Miss STEWART, Miss GORDON and Miss MARSHALL. The latter was awfully cut, her head almost severed, but beyond wounds given in the struggle the bodies were not mutilated; then later I found Miss H. NEWCOMBE'S body at the foot of a hill in front of the house where it had evidently been thrown. As then I could see no traces of Mr. and Mrs. STEWART, Miss N. SAUNDERS, and LENA, the nurse, we hoped some had escaped and I returned to the house where the children (4 STEWART children) and Miss CODRINGTON were. Presently Miss HARTFORD arrived; she had received a nasty cut under one ear but had been saved from death by a native Christian. I learned later from Miss CODRINGTON that the five ladies of the Zenana Missionary Society who lived in the lower of the two houses which form the Kucheng Sanatorium, after a futile effort to escape got out at the back and were immediately surrounded by Vegetarians. At first they said they intended to bind them and carry them away and they begged if that was the intention they might be allowed their umbrellas, but this was instantly refused. Some even of the Vegetarians seemed touched with their pleading for life, an old Huasang man alone of the natives who did not take part begged that their lives might be saved. Some of the Vegetarians were inclined to spare them but were ordered by their leader to carry out their orders: had they been able to escape into the brushwood round there seems little doubt they might have been saved. Great misfortune was that only two were dressed. Mr. and Mrs. STEWART I learned from KATHLEEN STEWART were not dressed. LENA the nurse died protecting baby whom KATHLEEN managed to carry her out of the house though not before her (baby's) eye had been injured. Miss NELLY SAUNDERS, KATHLEEN told me, was also knocked down at the nursery door going to help the children and as we afterwards found the remains of a burnt body there, we had little doubt in was hers. For a long time we thought that at least Mr. and Mrs. STEWART had escaped but later I found their bodies or rather ashes in what had been their bed-room. The Huasang people seemed to have as a whole no hand in the affair though doubtless four or five Vegetarian families were concerned: the natives say a Vegetarian band came from the east road (of Kucheng city) many from Ang-iong and A deng-bang within thirty or forty *li* off Kucheng. The Kucheng former magistrate named WANG came up in the evening to examine into the case.

Foochow, August 5th.

Statement of GREGORY, American Episcopal Methodist Mission: At 12.30 p.m. August 1st, a native Christian rushed into my study

saying that some of the foreign ladies at Hwashang, mountain resort near Kucheng city, had been killed in the morning and our houses burned; fifteen minutes later a note from Mr. Philips confirmed the report for he said that five ladies were dead, four seriously wounded, and the Stewarts missing. I at once went in to Yamên where hundreds of people had already gathered. The District Magistrate Wang, said he would immediately go right up to Hwashang, taking some sixty soldiers with him. And at three p.m. I left Kucheng city under the escort of thirteen soldiers and arrived at Hwashang at eight p.m. to find that nine adults, all English subjects, had been murdered, and that all those alive at Hwashang had been more or less severely injured, with the exception of Mr. Phillips. He had arrived at Hwashang only two or three days before, and was lodging at a native house some distance from the English cottages; I at once set to work to make the injured as comfortable as possible and found that Miss Codrington (Church Mission) had received one sword-cut extending from left angle of the mouth diagonally outward and downward seven inches in extent, completely dividing lower lip and exposing the jaw bone, cut on crown three inches vertebrate of skull exposed, cut across the nose, under the eye, a cut three inches right side neck, two wounds on arm, deep wound right thigh serious. Miss Hartford received slight injury in chest; beaten by assailant while down. While servant struggled with him she escaped to the hills, where she remained hidden until the affair was over; her worse injury being shock. Mildred Stewart, twelve, wounded, right knee joint exposed, six inches, two wounds left leg, serious; Kathleen Stewart, 11, slight bruises; Herbert Stewart, six, deep wound right side neck four inches, compound fracture of skull, brain exposed, wound left side head, wound in chest, stab in back. He died thirty hours after while en route; Ewan Stewart 3, stab left thigh bruised not serious; Baby Stewart, 13 months, stabbed right eye, wound in forehead, fractured skull several bruises serious. Killed: Mr. and Mrs. Stewart, Miss Nelly Saunders and Lena, (Stewart?) Irish nurse, killed, burned, with house. Miss Hessie Newcombe speared and killed by being thrown from precipice. Miss Marshall's throat was cut, and head nearly severed Miss Stewart's body showed no wounds, death from shock probably. Miss Gordon, had deep spear wounds on face, neck, side of head, Miss Topsy Saunders' death caused by spear wound entering brain, right orbit. Apparently massacred by members of secret society known as "Vegetarians." Party estimated eighty men, armed with spears and swords and strongly organized under one leader. No suspicion of attack, which was sudden and terrible, the whole affair over in thirty minutes. Miss Codrington says, they begged for life and promised their property and valuables. Some assailants inclined to yield but the leader carried red flag, waved this, and shouted to his men 'You know your orders. Kill out-right." In the evening we placed the bodies in coffins and after much effort succeeded getting Magistrate to order coffins (to be) carried to Suikow and secure chairs for survivors; left Hwashang three p.m. August, for Suikow, travelled all night, arriving 8.20 at Suikow. Our party left for Foochow 3 p.m. 3rd; met launch U.S. Marshall, Hixson and Messrs. Wolfe, Bannister, English Missionaries, on board. with supplies. Arrived at Foochow 12.30 on 4th. As to cause of unheard of savage act cannot form idea but I believe hirelings' work.

Miss HARTLAND, of the A.M.E. Mission, has made the following statement:—

The massacre took place on August 1st. At 1.30 a.m. I heard shouts and yells on the streets of Kucheng, and my servants rushed into my bed-room shouting for me to get up, as the Vegetarians were coming and they were burning down the houses on the hills belonging to the English Mission. A few minutes later my teacher came to the door and I put on my clothes, rushed out to the door, to be met by a man with a trident and spear who yelled "Here's a foreign woman." Man pointed his spear at my breast, but I twisted the weapon to one side and it just grazed my ear and head beside the ear. He then threw me to the ground, and beat me with the wooden end of the spear, but a servant came and wrenched the spear away and told me to fly. I jumped down an embankment and ran along the road. A servant came, and pulled me along until I got up to the side of the hill, where I lay to get more breath. After resting twice I reached a secluded spot and lay there. All this time the yells went on, and the two houses were burning to the ground. After a while the yells stopped and we supposed the Vegetarians had gone away. Then the servant went to see how matters were, he returned in half an hour telling me to come home, and that five ladies of the English mission had been killed, and some of the wounded were at my house. This was a rented native house and not troubled at all. I then went home and found Miss Codrington much cut about the head and beaten all over. Mildred Stewart, 7, cut on knee which was bleeding very hard. Herbert Stewart, aged six years, cut on the head and almost dead, the Baby Stewart, one year old, one black and swollen knee; the second Stewart girl, Kathleen, aged 11 years, and the second boy, Evan, 3 years, beaten and pierced with spears, but not seriously injured, though the boy vomited all day at times, as we thought from fright. Mr. Phillips of the English mission lived in a native house at some distance. He escaped all injury, only arriving in time to see the bodies of dead and to hear the Vegetarians say "We have killed all the Foreigners." At first we heard that some of the foreigners had escaped and were in hiding. Then as Mr. Stewart did not come we feared the worst. Mr. Phillips went to the ruins. He found eight bodies, five not burned, and three burned so badly as not to be recognizable. Dr. Gregory arrived at dark and at once dressed the patients; coffins were made and bodies put in, and bones of burned put in boxes. Another burned one was found, making nine grown people massacred.

The killed are as follows. Rev. R. W. Stewart and his wife Mrs. Stewart nurse from Ireland called Lena, Miss Nellie Saunders, Miss Topsy Saunders, both of Australia. They lived in upper house called the "Stewart Home" Miss Hessie Newcombe, Ireland, Miss Elsie Marshall, Miss Lucy Steward, English, and Miss Annie Gordon Australia. The first four were burned beyond recognition; Miss Topsy Saunders ran out of the house and was killed outside; Miss Hessie Newcombe was thrown down an embankment her head being nearly severed from her shoulders while Miss Gordon's head was also nearly cut off. The bodies were put in coffins and we left Whashang for Chuikan at about 4 o'clock on Friday p.m. August 2nd. Herbert Stewart died about three hours later just below Kolung. We took on the body in chair and had coffin made at Chui kan. Reached Chui-kan at about 8 o'clock on Saturday morning, and telegraphed to Foochow for a steamlaunch. We left Chui-kan in two native boats at 3 p.m. (Saturday), and on Sunday morning met steam-launch going to Chui-kan taking soldiers. We engaged them to tow us to Foochow. Soon after met another steam-launch having the U.S. Marshall (Hixson) and two English missionaries (Archdeacon Wolfe and Rev. Mr. Bannister) on board. When I was thrown down my Teacher's wife called on some Hwashang men who stood around to save me. There were four men there, only one Vegetarian, but they would not help me. She came and tried to pull me away as he beat me but a Vegetarian kicked her. When this Vegetarian who beat me started down the hill to come to our house three others were with him, but they then ran off after some Chinamen and I escaped with only one persecutor. There were about fifty Vegetarians. I only saw the one man who shouted "Here is a foreign woman," and he had a trident and spear. Some of them had swords. There was at least one gun, as it was fired off. The natives said there were several other guns. Wong, the Kucheng Magistrate, came up to Hwashang on Friday evening, August 1st, with 100 soldiers and viewed the bodies, saw the injured enquired names of all and places of injuries and wrote out a report, and he did what he could to help us to get off to Chui-kan.

File

3rd. ASST. SECRETARY. SEP 23 1895

INDEX BUREAU REC'D. SEP 23 1895 DEPT. OF STATE

No. 93

Consulate-General, U. S. A.,

Shanghai, China, August 17th 1895.

Mr. Jernigan,

To the Department of State.

Subject:

Chungtu riots. Commission.

Abstract of Contents.

No. 93.

Consulate-General, U. S. A.,

Shanghai China August 17th 1895.

Honorable Edwin F. Uhl

Assistant Secretary of State,

Washington, D. C.

Sir:

The riots in China beginning last May at Chengtu and ending in the massacre at Kuchieng on July 1st have excited the greatest indignation among foreigners. Indignation meetings have been held from Hongkong to Kaukow expressing the feelings of foreigners on the subject, and indicating the preventive Policy to be effective. At such a time and under such circumstances it was natural that some extreme views should have been presented, and unjust censures made for the dragging from their beds at night six ladies and spearing them to death in the door way of their homes, besides other atrocities, was

was sufficient to arouse all men who have the feelings men should have. But the meeting held exclusively by American citizens at Shanghai should not be confounded with the indignation meetings held at this and the other open Ports of China. The object of the American meeting was to collect the evidence relating to American interest affected by the riot and Chinese and to place it in the possession of Minister Denby. At the American meeting I was present by written invitation and a committee was appointed for the purpose indicated, and also a resolution passed submitting that a committee be appointed to represent American interest during the the investigation of the causes and consequences of the Chinese riot.

I was present because I did not want Americans in their meeting to appear intemperate in expressions or critical and the proceedings show that nothing intemperate was done.

The

The correspondence with Minister Denby on the subject of the proceedings of the American meeting impresses me that the Minister is under the impression that they, the proceedings, show that Americans in China are opposed to cooperating in the investigation with a friendly Power. Nothing could be more inaccurate, and the error on the part of the Minister seems due to his failure to distinguish between the American commissioners and the Commissioners when cooperating should cooperation be necessary. I fail to understand how any country can cooperate, unless it has a commissioner of its own. Sometime after the Chengtu riot I received a communication from Minister Denby dated July 12th informing me that the Chengtu commission would probably consist of the Prefect of Chengtu, the Provincial Treasurer and the Judge as Chinese members of British Consul Fortune,

a

a British Missionary and Mr Lewis an American missionary. Upon the reception of this information from the Minister, I wrote him that the three Chinese officials on the commission were the very three officials whom the evidence showed were implicated in inciting the riot, and that on such a commission our country would be in a minority both as to grade and number.

The commission, so constituted, was the commission which Americans opposed, as they believed, and properly too. I think that the Chinese officials were appointed to escape conviction and the punishment they deserved. Such has been Chinese Procedure.

If the Department should ask my opinion on the subject of the appointment of a commission, I should not hesitate to answer that the United States should have a commission distinctively American, and then if necessary

necessary or desirable lock shields with the friendly Power interested in having the investigation made effective.

In the International Council the identity of the United States should be preserved, and our flag should wave from our own flagstaff. This is the way to promote the moral and commercial influence of our country in China. Let us begin as if the United States would make the investigation if need be, alone, and that cooperation or no cooperation the homes of American citizens could not be burnt with impunity and the inmates driven out without shelter or food to seek safety in long journeys over unfriendly fields.

To-day there is no effective central government in China. The power and arrogance are provincial, and it is the provincial satraps, who are responsible for the riots and massacres.

I am, Sir,
Your obedient servant
W. Derby Gregg
Consul General.

2D ASSISTANT SECRETARY
AUG 19 1895

TELEGRAM RECEIVED.

From Shanghai

Aug 19, 1895

Received 10 30 A M.

Wh.

Washington.

To Treasury
Give to press
Confirm

Cholera not epidemic.

Jernigan

M. H. S.
Aug 23 '95

Confirmed Aug 24.

TELEGRAM RECEIVED.

2D ASSISTANT SECRETARY.
AUG 19 1895

From Shanghai

Aug 19, 1895

INDEX BUREAU
REC'D.
AUG 20 1895
DEPT. OF STATE

Received 1 40 P. M.

Uhl.

Wathington.

Confirm & file. Ably Aug 20.

V. Confirmed Aug 22 '95

China conducts investigation Kutien Massacre closed doors Refused admit American British Consuls Victim shows Official guilt.

Jernigan.

No. 94

Consulate-General, U. S. A.,

Shanghai China August 31st 1895.

Mr. Jernigan

To the Department of State.

Recd. Oct. 5/95

INDEX BUREAU
REC'D.
SEP 26 1895
DEPT. OF STATE

Subject:

Leave of Consulate General.

Abstract of Contents.

No. 94.

Consulate-General, U. S. A.,
Shanghai, China, August 24th, 1895.

Honorable Edwin F. Uhl
Assistant Secretary of State,
Washington, D. C.

Sir:

The facts connected with the leasing of this Consulate General are as follows:-

In 1888, Consul General Kennedy signed a written lease for ten years, naming the amount to be paid annually as rent.

The lease provides that while the Consul General could not lease for a longer time than one year, yet the agreement might be considered as of a perpetual nature, owing to the indisposition of the Government to change the locations of Consulates. Such are the material facts.

Consul General Kennedy could not have selected a more

more undesireable location and one less in accord with American Pride than the one he did select; nor was the selection necessitated by circumstances.

The lessor who is interested in having the Consulate General remain where it now is informs me that he would have built on a vacant lot on the banks of the river fronting in full the entrance to the Port and on the American Settlement as readily as where the Consulate General is now situated. Since building our Consulate General the lessor has built on the lot indicated a larger and more imposing building and which he leases for less than we pay.

As represented in a former despatch our Consulate General is located on a back street of the British Settlement; the flag cannot be seen from the harbor and the surroundings are unsuited and uncongenial; and the building is poorly

poorly lighted, compelling the use of gas in my office, one of the best when the weather is somewhat cloudy.

American sentiment in China is very much opposed to the present location of the Consulate General; and I am asked by nearly every American why we do not have a Consulate General that it can be seen.

I have informed the lessor that I did not wish to jeopardize his interest in this matter; but he knows that the Consulate General was not suitably located, and that he should provide a suitable building on the American Settlement, where he has several, either of which would suit better.

I do not think that any Consul General should be allowed to remove our Consulate from our own Settlement and then sign a written lease for ten years in confirmation of such action.

The moral and commercial

influence

influence of the United States is not promoted by such a policy, and it nowhere receives the approval of true American pride.

I earnestly favor moving back to our own Settlement, now growing into much importance as the manufacturing center of the City; but I would be properly considerate in so doing.

I am Sir:
Your obedient servant
W. B. Ferguson
Consul General.

CONSULAR BUREAU.
NOTED

No. 95.

Consulate-General, U. S. A.,

Shanghai China August 26th 1895.

Mr. Jernigan

To the Department of State.

Copy sent to Treasury Dept. Oct. 2. 95

Subject:

Ramon Bonillo. Suicide.

Abstract of Contents.

Informs of his death.

INDEX BUREAU
REC'D.
SEP 26 1895
DEPT. OF STATE

No. 95.

Consulate-General, U. S. A.,

Shanghai China August 26th, 1895.

Honorable Edwin F. Uhl.

Assistant Secretary of State,

Washington, D. C.

Sir:

I regret to inform you of the death of Ramon Bailo a seaman on board the American Ship "Quickstep" who died in the Shanghai General Hospital of cholera August 18th 1895.

I also enclose statement of wages and effects of Mr. Bailo.

I am Sir:

Your obedient servant

W. Seligman

Consul General.

One Enclosure as stated.

Assist by Consul
Sept. 14.

No. 96

Consulate-General U. S. A.,

Shanghai China August 27 1895.

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REC'D.
SEP 26 1895
DEPT. OF STATE

Mr. Jernigan

To the Department of State.

Copy to Auditor
Oct. 2, 1895.
State
Oct. 16, '95

Subject:

Invoices

Abstract of Contents.

Requests decision in re extra fee for the fourth copy of Invoices of goods shipped from here to New York

No. 96.

Consulate-General, U. S. A.,

Shanghai China August 27th, 1895.

Honorable Edwin F. Uhl.

Assistant Secretary of State,

Washington, D. C.

Sir:

I have to request your decision with regard to the charge of an extra fee for the fourth copy of invoice of goods shipped from this port to the port of New York, or any other interior port via the port of Vancouver B.C.

As will be seen on reference to the Record of Treasury Fees # (Form No. 101) returned by me to the Treasury Department, it has been the uniform practice of this Consulate General to charge an extra fee for the fourth copy of invoice of goods # shipped by the Canadian Pacific "Empress line of Steamers to # New York, or any other interior port via Vancouver B.C. the fourth copy of

of such invoice not being considered as demanded by the Government, but granted at the request, and for the convenience of the Canadian Pacific Steamship Company.

With regard to shipments via Nanaimo B.C. the port of arrival in the United States not being known to me, or mentioned, and not knowing that any one of the ports of arrival mentioned under Section 1st of the Immediate Transportation of June 10th 1880. is to be used I have not felt authorized to consider such shipments as coming under the said Act of June 10th 1880, and have not placed them under the same conditions as shipments from here to New York or any other interior port via Tacoma, Washington, or San Francisco California.

The revenue to the Government for the fees received for the fourth copies of invoices of shipments by the Canadian Pacific lines via Vancouver amounts to a very considerable sum annually.

annually, and consequently the fees charged for the fourth copy is a burden to the shippers here.

Messrs. Wismer & Co. an American firm at this Port and a firm that has a large export trade from this Port to the United States, informs me that the Consulate at Kobe, Japan certify to quadruplicate invoices for shipments to the United States by the Canadian Pacific & Empress line via Vancouver B.C. and place such shipments under the same category as shipments via San Francisco or Tacoma, & Messrs Wismer & Co. state that they see no reason why this Consulate General should not do likewise.

I enclose the freight advertisement of the Canadian Pacific Steamship Company for your further information, and shall be glad to receive from you an ~~early~~ decision regarding the matter.

I am Sir:
Your obedient servant
W. Derrigan
Consul General

One Enclosure.

The Canadian
Kobe, Yoko
September,
Consular In
For Freight

The Canadian Pacific Railway Company's Steamer **Empress of India**, Captain O. P. Marshall, R.N.R., will leave **Woosung** for **Nagasaki**, **Kobe, Yokohama** and **Vancouver, B.C.** (calling at **Victoria, B.C.** to land Passengers and Mails) on or about Saturday, the 7t September, at such time as the state of the tides may require, carrying H.B.M.'s Mails for Canada, the United States and Europe. *Consular Invoices must accompany Overland Shipments to U.S.A.* Parcels will be received until **Noon** on **Friday**, the 6th Septembe

For Freight or Passage, apply to .....

Every descripti
hange business t

Shanghai, 10th J

Mr Jarvis

No. 97

Consulate General U. S. A.,

Shanghai China August 27 1895.

Mr. Jernigan.

To the Department of State.

Copy sent. Treas. Dept. Sept. 28.

Subject:

Seaman "John L. Jones."

Abstract of Contents.

In re J. L. Jones "John Smith"
Desertion Sickness Arrest &c.

No. 97.

Consulate-General, U. S. A.,

Shanghai China August 27th, 1895.

Honorable Edwin F. Uhl.

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit herewith a copy of the certificate attached to the shipping articles of the American Bark entitled John Smith of San Francisco, which vessel cleared for the port of San Francisco via Yokohama Japan on the 20th instant.

The certificate in question almost fully explains itself, but for your further information I beg to briefly state that on the vessels arrival at this port the Master of the said vessel reported that one of his seamen named J. H. Jones was a sufferer from epileptic fits and unable to do duty as an able seaman and requested of

of me that the seaman be discharged.
From examination of the ships logs,
official and daily, and from a
medical certificate granted by Fred K
J. Bruge a responsible medical practitioner
at this port I found that the facts
as stated by the Master were
substantially correct and that the
seaman was a fit and Proper charge
for relief, and it was arranged with
the Master that the seaman should
stay aboard the vessel at the vessels
expense until she cleared or until
such time when this Consulate
General could send the seaman back
to the United States.

The seaman apart from
the occasional epileptic fits he was
subject to was a healthy man
and able to do light work in
fair weather.

It was very necessary
to get the man back to the
United States and taking every
feature into consideration I concluded
that

that the best way to send him home was to send him in the vessel he came here in as the Captain and crew understood his case and knew his needs. On the 19th instant the Captain was informed of my decision, and, and although he did not refuse to take the seaman home as a passenger, he demurred on the grounds that his vessel was going to a foreign Port (Hakodadi, Japan). In reply to which demur he was informed that it did not alter the decision as the foreign Port was in the immediate track of vessels bound from here to San Francisco. Taking him as a passenger was distasteful to the Master, and he thought he would prefer to take him home as an ordinary Seaman at reduced wages which would be good for the seaman, as he would have arrears of wages due him on his arrival at the Port of destination, and the Master left this

Consulate

Consulate General for the purposes of getting the said seaman consent to the latter proposition.

On the morning of the 20th instant the Captain presented himself at the Consulate General and informed me that the seaman had solved the question himself by deserting the vessel and taking with him his clothing and the Captain also informed me that notwithstanding my instructions to the contrary that he had paid the seaman the full amount of wages due him.

As there was no doubt but that the Master had aided and abetted the seaman's desertion I declined to grant a certificate of desertion and demanded that he the Master should pay into this Consulate General the amount of wages wrongfully paid to the seaman.

The sailor was found on the

the evening of the same date, and was put on board the vessel on the morning of the 31st but not officially. I am informed that the Master of the vessel consented to take the seaman, as he had not yet been erased from the shipping articles. In my opinion the certificate attached to the shipping articles had a salutory effect.

The arrears of wages U.S. $149 will be duly accounted for to the Government in my Relief of Seaman account for the Present Quarter.

I am Sir.
Your obedient servant
W. Derrigan
Vice Consul General.

One Enclosure.

(COPY)----

United States Consulate General.

Shanghai, 20th August, *1895.*

I,T.R.Jernigan,U.S.Consul General for Shanghai,China,and the dependencies thereof,do hereby certify that J.H.Jones,a British subject,who shipped on board the barkentine "John Smith" of San Francisco, at the port of Port Townsend,Washington, on the 4th day of June,1895,for the voyage to Shanghai,and such other ports and places in any part of the world as the Master should direct,and back to a final port of discharge in the United States for a term of time not exceeding twelve calendar months,absconded from the said ship at this port on or about the 17th day of Aug.,1895,and,in my opinion, was aided and abetted to abscond by C.B.Kustel,the Master of the said ship;and I likewise certify that the said Master C.B.Kustel,in my opinion,aided and abetted the said J.H.Jones to abscond from the said ship "John Smith" for the sole purpose of avoiding taking the said seaman back to the United states as an ordinary seaman at reduced wages,or taking him back to the United States as a passenger at the expense of the Government of the United States,-he the said Master having paid to the said seaman the balance of arrears of wages in full to August 17th,1895,inclusive,the date of leaving the vessel.

I further ceritfy that the said seaman is a sufferer from epileptic fits not caused by service in the said vessel,but a sufferer from the disease a long time back , and unfit to perform the duties of an able seaman,which fact is fully corroborated by the daily and official log of said vessel, and a medical certificate granted by Fred.J.Burge,a responsible medical practicioner at this port,which certificate is on file at this Consulate General.

In view of the circumstances,and knowing that the said seaman did not receive his hurt or injury on board the said vessel,I have concluded that I have no right to demand an extra months wages,but have demanded that the Master

of the said vessel shall pay into this Consulate General the balance of arrears of wages wrongfully paid to the said seaman on the 17th day of August, 1895: and I have further decided that a certificate of desertion cannot be granted the vessel, in conformity with paragraph 267 of the Consular Regulations.

Signed, -T.R.Jernigan, U.S. Consul General.

No. 98

File

Consulate-General U. S. A.,

Shanghai China August 27 1895.

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SEP 26 1895
DEPT. OF STATE

Mr. Jernigan

To the Department of State.

Subject:

Acknowledgement

Abstract of Contents.

No. 34 June 8th 1895.

No. 98

Consulate-General, U. S. A.,

Shanghai China August 27th, 1895.

Honorable Edwin F. Uhl.

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge receipt of your despatch No. 34 dated June 8th last with regard to fees for invoices of personal effects and of merchandise not exceeding ("100.") in value, also with regard to the fees for Consular invoices of Goods in transit through the United States.

I duly note that the fees for invoices of Personal effects and of merchandise not exceeding $100.00 in value are official, and that the fees for invoices of goods in transit through the United States are unofficial.

My Returns

to

to the Government will be made in conformity with this decision.

I am Sir:

Your obedient servant

W. Derrickson

Consul General

3rd. ASST. SECRETARY.
SEP 27 1895

File

No. 99

Consulate-General, U. S. A.,

Shanghai China August 31st 1895.

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REC'D.
SEP 26 1895
DEPT. OF STATE

Sir. Jernigan

To the Department of State.

Subject:

Resolution passed by the American Missionaries at Canton

Abstract of Contents.

No. 99.

Consulate-General, U. S. A.,

Shanghai China August 27th 1895.

Honorable Edwin F. Uhl.

Assistant Secretary of State,

Washington, D. C.

Sir:

I have been requested in writing by the American Missionaries at Canton to forward to the Department the enclosed resolutions.

I am, Sir:

Your obedient servant

W. Derbyshire

Consul General.

One enclosure.

We, the American missionaries of Canton, China, having heard of the riot and the massacre of men, women, and children on Aug. 1st, at Kutien, Fukien, do hereby express our horror and indignation at these dastardly murders perpetrated with such inhuman cruelty, and urge that swift and just punishment be meted out to all who were in any way connected with this unpardonable crime. And

Whereas the riots of 1868 at Yang Chow, 1870 at Tientsin, 1883 at Canton, 1884 in Kwangtung, 1886 in Kiangsai, 1891 on the Yangtze, 1893 at Sung Pu, 1894 at Canton, and 1895 in various parts of China, prove that monetary compensation is no sufficient guarantee for the safety of the lives and property of foreigners in China, we urge that more effective measures be adopted to prevent a continuance of these barbarous outbreaks. And

Whereas tens of thousands of Chinese dwell at will in the United States, and there acquire property, pursue any righteous occupation, and enjoy adequate protection, we urge that the present

crisis be made the opportunity for revising the treaties with China, so that foreign residents may obtain rights in this empire equal in every respect to those granted by foreign governments to Chinese immigrants; also that all rights conceded to foreigners in China be published throughout the eighteen provinces by Imperial proclamation, containing an explicit statement that any hindrance to the enjoyment of such rights from the local mandarins is a punishable offence. And

Whereas foreigners are daily insulted in all parts of China by every section of the people in terms both coarse and brutal, we ask that plans be devised and measures adopted to correct this practice, and that the Chinese people be notified that henceforth abusive language offered to foreigners is a misdemeanor punishable by law.

We unanimously agree that these representations be sent to the U. S. Consul-General, at Shanghai, with a request that they be forwarded both to the Department of State, at Washington, and to the U. S. Minister at Peking.

by all American
Missionaries in Canton.

G. H. Greene,
for Committee.

Canton, China.
Aug. 20, 1895.

Ack
Sept. 27.

No. 100

Consulate-General, U. S. A.,

Shanghai China August 28 1895.

INDEX BUREAU
REC'D.
SEP 26 1895
DEPT. OF STATE

Sir. Jernegan

To the Department of State.

Subject:

Report on Cotton Mills at Shanghai,

Abstract of Contents.

REPORT FILED IN
Bureau of Statistics,
FOR PUBLICATION.

No. 100

Consulate-General U. S. A.,
Shanghai China August 28, 1895.

Honorable Edwin F. Uhl
Assistant Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose a report on Cotton Mills at Shanghai and some photographic views illustrative of the cotton industry of China. There are no charges for the photographs and if the report is published, and the views considered necessary to illustrate it the report indicates the place of appropriate insertion.

I am Sir,
Your obedient servant
R. Jernigan
Consul General.

Five Enclosures.
Three photographs added.

No.-101.--

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RECD.
OCT 8 1895
DEPT. OF STATE

UNITED STATES CONSULATE GENERAL,

Shanghai, 6th Sept., 1895.

S I R:-

By virtue of the treaty between China and Japan, several new ports, as you are aware, are to be opened to foreign trade.

The subject is receiving the attention of European nations; and the representatives of said nations are now visiting the new ports with the view of selecting settlements for their nations favorable in location for facilitating commerce.

The advantages in location for a business house need not be mentioned here. To be in the business center of a city, to have a warehouse convenient to store merchandise, imported or exported, often wins patronage by the controlling motive of interest.

In view of these considerations, it would be advisable to have a representative to visit the new ports, and carefully report on all matters pertaining to their future commercial bearing from a geographical standpoint, the productions of the surrounding country, the characteristics and temperament of the population, and their commercial capacity.

The Consul, in whose jurisdiction the new port may be situated, might secure information, on the lines indicated, at little, if any, cost. I would be glad if the Department would give me permission to visit, when the opportunity is favorable, the open ports of China, as I wish to make a report covering the whole subject of Chinese commerce, and of the inhabitants, as I should see them.

I am, Sir, Your obedient servant,

W. Jernigan
Consul General.

Hon. Edwin F. Uhl,
Ass't Secretary of State,
Washington D.C.

No. 151.

Consulate General, U.S.A.,

Shanghai, 6th Sept., 1895.

Mr. Jernigan

To the Department of State,

SUBJECT:

On the opening of ports in China; and a recommendation.

ABSTRACT OF CONTENTS.

Mr Fairman:

3rd. ASST. SECRETARY. 1895

I see no reason why Mr Jernigan might not be allowed - without being authorized to change anything in the Dept for so doing; to go to China and there see whether it would not be advisable to establish agencies there. American merchants in China will under the favored nation clause of our treaty, be at perfect liberty to buy & rent land at these two cities for business purposes. I do not suppose we want a "concession" there, in an

a matter of fact we have no concern in the English and French have at any of the ports.

Mr Jernigan can be entrusted to settle - have to visit the treaty ports but as far as the Dept is concerned I do not see that he can tell us anything about them which we have not often heard & that he could not learn without leaving his office at Shanghai

N.R

You might send him copy of the estimates for China for '96-97.

No.102.--

UNITED STATES CONSULATE GENERAL,

SHANGHAI, China, 6th Sept., 1895.

Secretary of State.
OCT 16 1895

File

S I R:

The last report from Consul Hixson, dated the 4th inst., with reference to the investigation of the Kutien massacre, represents that there have been one hundred and twenty six arrests, twenty seven trials, twenty three convictions, and evidence ready to convict thirty one more.

I am also informed that the assailant of Miss Hartford, the American lady who was slightly wounded, and whose presence of mind enabled her to push aside the spear aimed at her breast and to save life by falling down an embankment, has been identified and arrested.

At first the Chinese officials refused to admit the British and American Consuls to the examinations, saying that they, the Chinese officials, would conduct the examinations, and the Consuls would only be consulted as to the punishment to be inflicted. When apprised of the situation by Consul Hixson, and knowing that there was often great delay in communicating by wire with our Legation, I telegraphed to the Consul to insist upon his rights; and soon the foreign representatives were admitted.

Since then the examination has been going on smoothly, and the number of convictions indicate with effect.

Our Government is represented by a Commission that will add greatly to our moral influence, as it evidences that when foreigners are massacred in China our country does not intend to be behind any nation in the effectiveness of its Commission to investigate the crime and secure the just punishment of the guilty.

The

The American Commission at Kutien, in grade and ability, is the superior, representing the civil and military arms of the Government, and is the subject of praise by the foreign press and foreigners in China.

And I respectfully submit that when the Chengtu riot is investigated the United States be represnted by a Commission which will also command the confidence of all. Nothing adds so much to the prestige and influence of our country as to be represented on such occasions by men who have the ability and courage to lead— not to follow.-

It is a pleasure to commend the course of Consul Hixson. He has shown prudence and ability of such a high order as to elicit praise from all nationals. He has been prompt, energetic, and watchful, since the first news of the massacre; and from the many reports I have received from Foochow and Kutien there is not one in which he is not most favorably mentioned.

I am, Sir,

Your obedient servant,

W. Jernigan

Consul General.

Honorable Edwin F. Uhl,

Ass't Secretary of State,

Washington, D.C.

No.103.

Note

CONSULAR BUREAU
NOTED

CONSULAR BUREAU
RECD.
OCT 8 1895
DEPT OF STATE

UNITED STATES CONSULATE GENERAL,

Shanghai, 6th Sept., 1895.

S I R:-

I have the honor to enclose herewith a certificate, showing that on the 28th of Aug., 1895, at this Consulate General, John Green, aged twenty nine years, born in Logansport, Indiana, U.S.A., and now residing in Shanghai, China, and Isabella Brennan, aged nineteen years, born in Chinghai, China, and now residing in Shanghai-China, were united in marriage before me, and in my presence, by Rev. John R. Hykes, who is authorized by the laws of the United States to perform such a ceremony.

I am, Sir,

Your obedient servant,

[signature]
Consul General.

To—

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

Consulate General, U.S.A.,

Shanghai, China, Sept 6, 1895

Mr. Jernigan,
To the Department of State,

SUBJECT:

Marriage of John Green to
Isabella Brennan.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA August 29th 1895.

I, J. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, *do hereby certify that on this* 28th *day of* August *A.D. 18*95, *at the U.S. Consulate General in* SHANGHAI John Green *aged* 29 *years born in* Logansport Indiana *and now residing in* Shanghai *and* Isabella Brennan *aged* 19 *years born in* Shanghai China *and now residing in* Shanghai China *were united in marriage before me, and in my presence, by* Rev. John R. Hykes *who is authorized by the laws of* United States *to perform such a ceremony.*

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI *this* 28th *day of* August, *A.D. 18*95; *and of the* INDEPENDENCE OF THE UNITED STATES *the* 119th

J. R. Jernigan
U. S. Consul General.

CONSULAR LIBRARY
NOTED.

No.104.

UNITED STATES CONSULATE GENERAL,

Shanghai,7th Sept.,1895.

S I R:

I have read the Department's No. 20,of August 2nd,to Consul Child,with reference to a letter from the Navy Department enclosing a report from Lieutenant Commander Emory,U.S.Navy,relative to the condition of affairs in China.

From the report the Department informs Consul Child that the reason alleged for the request for the "Petrel" at Hankow was to add,by her presence,to the importance of the Consulate there.

In view of such a report by Lieutenant Commander Emory,and the facts in my possession,I feel that,in justice to Consul Child,I should submit another version of the subject.

The riot at Chengtu occurred the last of May. About twelve Americans were there at the time. Their homes had been burnt and their property destroyed. They were in that unfriendly city without means, and only the clothes they wore. It was known here that these Americans,consisting largely of women and children, were on their way to Hankow,the nearest open port. It was also known that the inhabitants of the country they must traverse to reach Hankow were not unfriendly to foreigners,and that between Hankow and Chengtu one or two small riots had taken place,and symptoms of a general riot were threatening and manifest.

Under such circumstances I was in daily receipt of telegrams from Americans at Hankow and ~~Chengtu~~ Chunking,an interior city beyond Hankow,describing the belligerent attitude of the natives in that whole section,and urging that one of our ships be sent to Hankow;

and

and so apprehensive were the Chinese officials of an uprising that telegrams of the news of the Chengtu riot were delayed several days for fear that the news would prove the igniting spark. Consul Child also wired me that great apprehension was felt at Hankow among foreigners, and a letter about the same time from Consul Jones, at Chinkiang, informed me that the Yangtze valley was very much disquieted, and that the presence of one of our ships up the Yangtze river would have a decidedly quieting effect.

When these reports were received by me, the "Petrel" was at Shanghai. I submitted them to Lieutenant Commander Emory, and frankly stated to him that he ought to go to Hankow. His answer was that there was no riot at Hankow, and my answer was that by going he might prevent a riot, and that by not going he could be of no service should a riot occur.

The British and French had war ships at Shanghai, and sailed at once for the Yangtze when the news came of the apprehended danger. I was repeatedly asked why the "Petrel" did not sail at least to meet our countrymen on their way from Chengtu to Hankow, destitute as they were, and to protect other Americans along the Yangtze.

Several days after the British and French ships returned Lieutenant Commander Emory wired Admiral Carpenter as to the Condition of affairs, and even at that late hour the Admiral thought it prudent to be on the spot and ordered the "Petrel" to go.

The enclosed copy of a letter from me to Admiral Carpenter is offered to show that Lieutenant Commander Emory is not supported by the opinion of men on the spot, and who ought to know, and do know, the import of passing events in their midst.

The remark, attributed to Consul

Child

Child in Lieutenant Commander Emory's report, that the presence of a man-of-war added to the importance of the Consulate, was made in the Club at Hankow by the Consul's son, and of course had no serious meaning. The Consul made no such remark, and what his son may have said in a Club to a young officer or two of the "Petrel" appears of not sufficient importance to be made the basis of an official report by the Commander of a war-ship in order that one of our most discreet Consuls might be cautioned by the Department.

In justice to Consul Child I respectfully request that the facts as here stated be submitted to the Navy Department to be considered in connection with Lieutenant Commander Emory's report.

Consul Child is absent on sick leave, and knowing the facts, I have the honor to place them, in his behalf, before the Department.

I am, Sir,

Your obedient servant,

W. Jernigan

Consul General.

To — Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

No.104.

CONSULATE GENERAL,U.S.A.,

Shanghai,7th Sept.,1895.

Mr.Jernigan,

To The Department of State.

SUBJECT:

Statement in behalf of Consul Child.

ABSTRACT OF CONTENTS:

(2)

C O P Y.

UNITED STATES CONSULATE GENERAL.

Shanghai, China.

June 24th 1895.

I R;

In response to a telegram from Consul Child, at Hankow, and to other telegrams and letters from various persons in the Yangtse ports and the interior of China, indicating serious and imminent danger to the foreign residents, the "Petrel" received orders to go to Hankow, and has now arrived at that port.

I am now in receipt of a despatch from Consul Child, at Hankow, and two despatches from Consul Jones at Chinkiang, stating their cause for alarm, and showing that the apprehension was not ill-founded; the prospective and threatening danger being averted only by the arrival of the "Petrel".

As the "Petrel" is acting under your orders, I deem it proper that you should know the reasons that prompted the request for her presence, and I therefore give the following extracts, or the substance, of the three despatches mentioned above.

Consul Child, in a communication dated the 17th inst. says;

"The situation is feverish all along the river, and the people are uneasy at Ichang----No one can tell what may occur, and it is only by a show of strong force in the river that troubles may be averted.

"The mandarins are slowly losing their hold, and the coolie proper is rapidly becoming more cheeky.

"It was only by the introduction of the Seikh policemen that the coolies could be held in subjection on the Bund here.

"Should a difficulty occur, the authorities in the three Chinese cities here would be powerless for good, as they were at Sze-chuen.

"I did not send for the "Petrel" until after consulting with Mr.Warren, H.B.M.Consul and several of the leading missionaries, and, while we did not anticipate immediate danger, we thought by a show of force that prospective troubles might be averted.

"It will be impossible for some time to bring the rioters in Sczchuen to justice. The Chinese priests and rabble will no doubt take it for granted that nothing will be done, and other outrages will be encouraged.

"A strong show of guns is the only argument that will prove available now----As the general impression prevails that the Yangtse should be thoroughly patrolled by gunboats this season, as serious trouble may follow-----"

Writing under the date of the 18th of June, Consul Jones at Chinkiang, states;

"----Later in the day I received a letter from the Rev. Mr.Longden, an American residing at Wuhu. He informed me that on yes-

"The mandarins are slowly losing their hold, and the people proper is rapidly becoming more cheeky.

"It was only by the introduction of the Sikh policemen that the coolies could be held in subjection on the Bund here.

"Should a difficulty occur, the authorities in the three Chinese cities here would be powerless for good, as they were at Swatow.

"I did not send for the "Petrel" until consulting with Mr.Warren, H.B.M.Consul and several of the leading missionaries, and, while we did not anticipate immediate danger, we thought by a show of force that prospective troubles might be averted.

"It will be impossible for some time to bring the rioters in Soochuen to justice. The Chinese priests and rabble will no doubt take it for granted that nothing will be done, and other outrages will be encouraged.

"A strong show of guns is the only argument that will have available now----As the general impression prevails that the Yangtze should be thoroughly patrolled by gunboats this season, as serious trouble may follow-----"

Writing under the date of the 18th of June, Consul Jones of Chinkiang, states;

"----Later in the day I received a letter from the Rev. Mr.Longden, an American residing at Wuhu. He informed me that on yes-

terday morning a large and evilly disposed crowd of Chinese assembled in front of the Catholic mission, with the plea of looking for a missing child, and threatened to search all the foreign compounds, but that for the present the trouble had passed. He, however, feared that it had not ended, as the spirit of Sczchuen had roused the people.---"There is unmistakably a feeling of unrest all along the valley of the Yangtse----The boating population is immense, and always a dangerous element; irresponsible, predatory, piratical.----

"In my humble opinion, in times like the present, with the entire population of the Yangtse valley restless and disturbed, there should be a war-ship stationed at every port, and one or two constantly patrolling the river. No one knows how and when trouble trouble may come, and when it does come, it is too late to ask for protection. There is never a warning. It is always sudden----"

In a despatch supplemental to the above dated the 20th inst., Consul Jones further says;

""I give you a translation of a letter written by the French Father at Wuhu, of the 18th inst., to the French Father at Chinkiang. He says; "The arrival of the "Petrel" yesterday at 8;25 P.M. was providential for Wuhu. The rumors started by the three chiefs of the Ko-li-hui, with the object of exciting an outbreak, were at fever pitch,; "Exterminate all the Hai-wai-gen"(a new name which takes the place of Yang-quei-tse"). "The information received on the best authority by me, as well as by the Customs, etc., fixed today as the

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in front of the Catholic mission, with the plea of looking for a mis-
sing child, and threatened to search all the foreign compounds, but
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eaves the spot before the execution of his orders, which he confides

o his lieutenants----We count on nothing but the protection of Euro-

ean or American war-ships. Mr.Ford, the British Consul at Wuhu,

ites to Mr. Carles, at this port, to the same effect,-that they were

aved by the timely arrival of the "Petrel"----

"This condition of things emphasizes what I had to say

n my despatch of the 18th inst, as to the necessity of war-ships on

e river and at every port."

I have the honor to be,

S I R,

Your obedient servant,

(Signed) J. R. Jennings

Consul General.

Rear-Admiral C. C. Carpenter, U. S. N.,

ommanding U. S. Naval Forces on the Asiatic Station.

Nagasaki, Japan.

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S I R,

Your obedient servant.

(Signed) J. R. Jocelyn

Consul General.

ar-Admiral C. C. Carpenter, U. S. N.,
manding U. S. Naval Forces on the Asiatic Station.

Nagasaki, Japan.

No. 105.---

UNITED STATES CONSULATE GENERAL,

Shanghai, 7th Sept., 1895.

file

S I R:

I have the honor to verify the following telegram, received by me on the 31st of Aug.:

"Jernigan,

"Consul,

"Shanghai:

"Executive order April third "recalled. Deliver quadruplicate invoice shipper. "Inform Consuls.

"Rockhill".

The instructions in the above telegram were immediately acted upon; and copies of the telegram were sent to all Consuls within my Consular jurisdiction.

I am, Sir,

Your obedient servant,

W. R. Jernigan

Consul General.

Hon. Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

No.106.

Consulate General,U.S.A.,

Shanghai,7th Sept.,1895.

Mr.Jernigan,

To the Department of State.

SUBJECT:

Acknowledgement of receipt
of Vol.157 of the U.S.Reports.

No.107.

UNITED STATES CONSULATE GENERAL,

Shanghai,7th Sept.,1895.

file

S I R:

The drift of events in Asia is towards war.- Japan still smarts from the interference of Russia,and the Japanese navy is more efficient to-day than when war was declared against China.

Russia does not,evidently,intend to recede from any advance towards extending her possessions,and the territory which her demand restored to China, after being ceded to Japan,was not the demand of an impartial friend,but the foresight that saw the advantage in ultimately appropriating what was rescued from the victor.

China now sees what Russia meant, and,doubtless,would release herself from pecuniary obligations to Russia,if an opportunity offered.

France is no less active than Russia,and though both of these nations are moving on lines of aggrandisement,the movements are so planned as to be divergent;-thus preserving mutual friendship by the cohesive power of mutual interest.

Great Brittain appears to be awaiting the opportunity. Her present silence is not understood to mean disinteredness,for the love of real estate is still the ardent love of the Britisher.

Sooner or later the spark will be ignited,and real war will rage in Asia. China will be helpless;Korea will be the chief theatre,and in the almost international contest the interest of Great Brittain might cause her to side with Japan.

These observations lead to the conclusions that whatever may happen in China to affect the American interest favorably or unfavorably,our Govern-

ment

ment ought not to place itself under the slightest obligation to any nation either to advance or protect that interest.

American citizens in China and their interest can be protected without the co-operation or aid of any nation, and the impartial and independent policy of the United States is more and more recognized and appreciated by the Chinese.

China has cause to be cautious in her dealings with the nations of Europe, but more than ever is she convinced that the United States have no aggressive design save in the legitimate field of commercial and industrial enterprise. This commanding position, so far removed from what I see and read of promises, in my opinion, in the near future, will greatly increase trade relations between China and the United States. The field is inviting, and American business men may enter it free from the prejudices which often prove unfavorable passports to the marts of trade. But Americans who come to China to establish business relations should be men of ability, honor and morality. The business "hustler" and "scalper" will find it difficult to favorably impress Chinese merchants, whose keen insight into character and business make them the peer of any.

I am, Sir,

Your obedient servant,

W. Jernigan

Consul General.

Hon. Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

Shanghai
15 September 1895

No. 8

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FOUR ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:
All Offices (21,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:
LONDON: No. 21 Royal Exchange, E. C. No. 109 Fenchurch Street, E. C.
LIVERPOOL: 45 Exchange Buildings.
GLASGOW: No. 50 Gordon Street.
BRISTOL: Bank Chambers.

CHIEF CLERK, Received SEP 16 1895 9.10 P.M. Department of State.

NUMBER	SENT BY	RECD BY	NO. OF WORDS.	FROM
My	OGRr	17	Shanghai	Sep 15 1895

RECEIVED at 907

Gov

Adee Washington (DC)
Answer to your sixty-four forever.
Courtesy to admit as do my
published reports
Jernigan

Shanghai,
17 September 1895

Confirm + file ace

Confirmed Sept. 20, 95

CABLE BUREAU
REC'D.
SEP 18 1895
DEPT. OF STATE

No. 3.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

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No. 21 Royal Exchange, E. C.
No. 109 Fenchurch Street, E. C.

LIVERPOOL: A5 Exchange Buildings
GLASGOW: No. 29 Gordon Street
BRISTOL: Backhall Chambers

CHIEF CLERK,
Received 7.55 A.M.
SEP 18, 1895
Department of State.

NUMBER	SENT BY	REC'D BY	No. OF WORDS.	FROM
74	m	m	73	Shanghai

RECEIVED at 10.17 P Sep 17 1895

Uhl

Washington.

Seven Kucheng murderers decapitated this morning Viceroy obstructive

Jernigan

Copy.
No 108.

CONSULATE GENERAL OF THE UNITED STATES,
Shanghai, September, 17th, 1895.

Copy to Navy Nov. 13/95

Honorable Edwin F. Uhl,
Assistant Secretary of State,
Washington, D.C.

INDEX BUREAU RECD. NOV 8 1895 DEPT. OF STATE

S I R:

I have had the honor to receive the Department's No. 44, of August the 14th, 1895, with the information that Admiral Carpenter had charged me with having treated him with official discourtesy, and presenting the evidence in support of the charge.

If I understand that the conclusion indicated as having been reached by the Department is based only upon the ex parte evidence before it, then I am at liberty to answer the charge by evidence in my own behalf; and I do not feel at liberty to infer that the Department would reach a conclusion unfavorable to one of its officers without first giving such officer the opportunity to be heard.

I beg, therefore, to submit to the Department the record of my correspondence with Admiral Carpenter, with the observations pertinent thereto.

I do not know Admiral Carpenter. I have never seen him, nor has this Consulate General ever received any official notice that Admiral Carpenter was in command of the Asiatic station, and never one word from him as to the movements of the vessels under his command.

I took notice that Admiral Carpenter was in command of the Asiatic station from what I read and heard, amd mostly from hearsay have I endeavored to keep track of the movements of our vessels on this station.

While I intend no accusing allegation against

against the Admiral, it does seem, in consideration of the high grade of this Consulate General, situated at one of the most important ports of the world, where a system of civil government prevails, the most complicated in the world, and inthe midst of actual war, riots and massacres, that I should occasionally have been apprised of his movements. Certainly, in the face of such facts, the fact that I have not always communicated direct with the Admiral ought not to be alleged by him as an evidence of official discourtesy.

The records of this office show that the first request made of the Admiral byme is a telegram dated Feb.8, 1895, in these words:

"Admiral Carpenter

"Chefoo:

"Missionaries want ship at Ngan-"tungwei on 13th for transportation. Are in danger.

"Jernigan".

On the 13th I received the following telegram in answer:

"Jernigan, Shanghai:

"Ngantungwei not chartered. Can mis-"sionaries reach Tower Point?

"Carpenter".

To this I immediately replied:

"Admiral Carpenter:

"I have no way of communicating "with missionaries. They are believed to be on their way "to Nagatungwei.

"Jernigan".

In my despatch dated the 13th, confirming these telegrams, I wrote:

"The telegram was sent you at the urgent request of missionaries here, and in the interest of those

"those at the place indicated. I hope you may be able "to find them, Generally they are not on charter."

The information asked for by the Admiral could not be obtained;and I ~~xxx~~ gave him the best I could obtain. He sent the "Yorktown",and found the missionaries,and took them to a place of safety;and their thanks were conveyed to him by me through our Consular Agency at Chefoo.

My next telegram to the Admiral is dated March 27th,1895,and in these words:

"Admiral Carpenter,~~xxxxxx~~ Nagasaki:

"Consul Amoy requests war-ship at "once.

"Jernigan".

And inconfirming the telegram by despatch on March 27,1895,I wrote the Admiral that:

"Mr.Kemper,our Consul at Amoy,did not "wire the nature of the trouble,but from the tone of his tele-"gram it appeared actual or imminent".

Knowing Consul Kemper,and believing that the danger he apprehended was well-founded,I simply repeated his telegram without incurring additional delay and cost.

It was in this connection that I received the following communication from Admiral Carpenter:

"U.S.Flagship Baltimore,

"Nagasaki,Japan,Mar.28,1895.

"Sir:

"I have the honor to confirm the "following telegram received on the 27 th inst,:

""Shanghai,27 ~~xxx~~Mar:

"Admiral Carpenter,Nagasaki:

"Consul at Amoy asks for war ship "at once.

"Jernigan".

"Telegraphic orders were sent to the

"the U,S.S.MACHIAS at Hong Kong to proceed immediately to "Amoy. In obedience to these orders the MACHIAS sails to-"day.

"I am as yet in ignorance of the cau-"ses that occasioned the request for a ship at Amoy,and "these requests unaccompanied by any reasons,may,under cer-"tain circumstances,render it impracticable to comply by sen-"ding a vessel. I desire,therefore,that whenever a request " be made for the presence of a vessel at any particular "port,you will,if possible,inform me at the same time of the "necessities on which the request is based.

"Very respectfully,

"C,C.Carpenter,

"Read-Admiral,U.S.N."

My reply shows that I not only recognized the judiciousness of the Admiral's request,but that I agreed with him as to the remoteness of the danger apprehended,as well as expressing my fear of the supervision of the Chinese over their telegraph system;and that I would endeavor to have his wishes respected to the full extent of expediency. My reply was in these words; and dated April 10:

"SIR:

"I have had the honor to receive "your No.64,of Mar.28,1895,confirming a telegram sent you on "the 27th ulto.,in compliance with the request of the Consul "at Amoy,asking that a war vessel be sent to that port.

"You say that you desire that in the "future such requests should state"the necessities upon which "it is based"".

" I am aware that in some instances "the anticipated danger has proven too remote to seemingly "justify any requests being made at all, but as the telegraphic "service in China is under the supervision of the Chinese,it "may be highly imprudent to state reasons.

"The Consul at Amoy is a first class official

"official,and is known to be a man of courage,

"I will,however,endeavor to have your "wishes respected to the full extent of expediency".

"I hope to see you in Shanghai soon,

"I am,Sir,

"Your obedient servant,

"T.R.Jernigan,

"Consul General.

"Rear-Admiral C.C.Carpenter,U.S.N.,

"Commanding U.S.Naval Forces on Asiatic Station,

"Nagasaki",

My telegrams are thought to be peremptory in tone and unaccompanied by sufficient details. The laconic character of all telegrams must be evident to the Department;but it would not be prudent in China to disclose in detail the motive and object of a telegram. Nothing was ever further from my thought that to send the Admiral a peremptory telegram,and with my despatches before him in which I express the purpose to have his wishes respected as far as I could with regard to telegraphic information proves that I did not resent his request on this line. As the Department concludes that I did resent it,judging from the correspondence carried on later with Lieutenant Commander Emory,it is probable that my despatch of April 10th,above copied,was not before you,as that despatch clearly negatives the idea of resentment. This despatch is material evidence,and I feel you will give it the consideration and weight which a purpose formed and put in writing to the Admiral merits. And I may here indicate that the letters to Lieutenant Commander Emory,and from which quotations have been made,were not official letters,but answers to a private letter from Mr.Emory,and were also private,and I will show,further on,ought not to bear the construction given to them,and were not meant to have such construction.

Dated May the 29th,1895,the following communication was received from Admiral Carpenter;

#6.

"U.S.Flagship,Baltimore,

"Nagasaki,Japan,

"May 29,1895.

"Sir:

"Will you be kind enough to inform "me whether there are any United States citizens residing in "Formosa,and if so where these said citizens have their "domiciles,and the nature of their business?"

"Very respectfully,

"C.C.Carpenter,

"Commanding U.S.Naval Forces on Asiatic Station,

"The United States Consul General,

Shanghai,China".

I inferred that this communication was prompted by a telegram from Minister Denby,the result of a telegram sent to the Minister by me relative to affairs in Formosa.

My answer is in these words:

"3rd June,1895.

"Sir:

"I have had the honor to receive "your No.147,of May 29,1895,asking to be informed "whether there "are any United States citizens residing in Formosa,and,if "so,where these said citizens have their domiciles,and the nature of their business",

"I have referred your inquiry to "our Consul at Amoy,and directed him to answer it in full. "His answer will be more intelligent and accurate than any "I could now give.

"My impression is that there may not "be a United states citizen on the Island of Formosa,but the "statistics show that nearly all the tea produced there goes "to the United States. The kerosine oil trade for 1894 is more than twice as large as in 1893,and at any point where our

trade

"trade is so rapidly increasing it will be [redacted] advantageous "to show our flag, even if the present disturbed condition of "the island did not appear to invite our attention in that "direction to see what was going on.

""Several days ago I wired Minister "Denby, submitting the above views to him.

"I have several letters of a personal "character from American citizens in different section of "China with appreciative expression of your uniform prompt- "ness in respodning to the calls of your countrymen.

"It would be a good idea to come to "Shanghai with several of your ships, if only for a few "days, as this is the great distributing center of Asiatic "trade, and the favorable impression you would make would be "decidedly in the interest of our commerce and trade pres- "tige.

"I cannot promise you as cool a re- "treat as Dr. Abercrombie at Nagasaki, but if you come in July "and August you will find it as hot and uncomfortable as "anywhere in China; and always a cordial welcome.

"I have the honor to be,

"Sir,

"Your obedient servant,

"T.R. Jernigan, Consul General.

"Rear Admiral C.C. Carpenter, U.S.N.,

"Commanding U.S. Naval Forces on Asiatic Station,

"Nagasaki, Japan".

With such a letter before Admiral Carpenter, the receipt of which was acknowledged by him from Kobe on June 13, it was natural for me to be greatly surprised when information of his charge that I had been guilty of official discourtesy. How could I have been more courteous in sentiment, more cordial in professions of personal consideration, or more graceful when I convey to him the appreciative expressions of his countrymen, made to me in their private

letters

letters? I hope the Department will read with care my despatch of June 3rd. If additional evidence was required to repel this most undeserved charge against me, I could refer to the files of every leading journal of the Unied States where would be found republished extracts from my trade reports highly complimentary to Admiral Carpenter and his command

No reports have gone from any consulate in Asia more favorable and friendly to him than the reports sent to the Department by me. It was pleasant for me to write favorably of our Asiatic squadron and the impression it was producing. My motives were patriotic, my acts were friendly, my intentions on the line of duty--as I understood it--and I was pained to learn that there was an officer in the squadron who could pervert a private note, in answer to his ownprivate note, to injure me; and that officer the one who had, on several occasions, shared my hospitality at my home in Shanghai and expressed the highest appreciation of my courtesy, and has been profuse incompliments of what he called my "efficiency as an officer".

My first business intercourse with Leiutenant Commander Emory related to the fouling of the "Petrel" bya junk in which the "Petrel" sustained damages to the amount of several hundred dollars. When informed of of the matter I secured such a workman as Mr. Emory wanted, and requested him to send the bill to me. He did so; and I collected the amount from the owner of the junk and paid it to the "Petrel"

About June 1st I received the news of the Chengtu riot, and at once wired the news to Minister Denby.

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where would be found republished extracts from my trade reports
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in Asia more favorable and friendly to this than the reports
sent to the Department by me. It was pleasant for me to write
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in the squadron who could perceive a private note, in answer to
his overprivate note, to inform me that criticer the one
who had, on several occasions, abused my hospitality at my home
in Shanghai and expressed his highest appreciation of my
courtesy, and has been profuse in compliments of what he
called my "efficiency as an officer".

My first business intercourse with
Paymaster Commander Berry related to the funding of the
"petrel" bya junk in which the "Petrel" evasion came on
to the amount of several hundred dollars. When informed of
of the matter I assured such a workman as Mr. Berry wanted,
and requested him to send the bill to me. He did so and I
collected the amount from the owner of the junk and paid it to
the "petrel"

About June 1st I received the
news of the Chemulpo riot, and at once wired the news to Minister
Denby

Chengtu was situated so far inland that no request for a naval vessel was made, and I awaited fuller particulars.

On June the 11th, I wrote Mr. Emory as follows:

"11th June,

"S I R:

"I have the honor to submit for your "consideration the following telegram:

""At Chengtu, Kiating, and Yochou "the Protestant and Catholic mission property has been utterly "destroyed. Smaller cities have suffered similarly. The "officials refused protection till the mob had completed their "work. The Viceroy Liu is chiefly to blame. Twenty adults "besides childred are still in the Chengtu Yamen. Suchou and "other places are seriously threatened. Urge foreign nations "to act promptly".

"This telegram was received late last "night, and is from an American citizen of good standing, and in "in answer to one addressed to him by me.

"The import of the telegram is serious "It appears from information from other sources that the "Yangtze valley is threatened with mob violence. Probably I "shall receive more and fuller particulars to-day.

"In accordance with the Regulations "I have deemed it proper to apprise you of the foregoing facts.

"I am, Sir, Your obedient servant,

T.R. Jernigan, Consul General.

"W.H. Emory, Esqr., U.S.N.,

Lieut. Comdr., Commanding,

"U.S.S. "Petrel",

"Shanghai"".

In reply Mr. Emory wrote:

"U.S.S. PETREL, Shanghai, June 4, 1895.

" S I R:

"I be as to

"10.

"I beg leave to acknowledge your favor of this date, conveying "to me the telegram regarding Chengtu, etc.; and thank you "for the same.

"I have the honor to be,

"Faithfully, yours,

"W.H. Emory.

"T.R. Jernigan, Esqr.,

"U.S. Consul General at Shanghai."

The "Petrel" being in port I understood my duty required me to apprise her commander of the riot, and this I did for his information, and to enable him to be prepared for any emergency. On the mornigg of the 12th June I received several telegram from Americans residing at Chunking (between Hankow and Chengtu--the place of the riot), Hankow, and from towns along the Yangtze river, giving alarming accounts of apprehended danger. I at once wrote Mr. Emory as follows:

"12th June, 1895.

S I R:

"I have the honor to submit for your "consideration the following telegram: "English French, Canadian ""missions wrecked at Chengtu, Kiating, Yachou, Pingshan, Sinking. ""Some missing. No lives lost. Suifer, Luchou threatened. Chunking riot sure examinations certain. All foreigners left ""Chengtu yesterday. Send "Petrel" up river. Child""".

"This telegram was received last eve- "ning. In my opinion the telegram states a cause amply suffi- "cient to justify the presence of an American ship at Hankow."

"I am, Sir, etc.,

"T.R. Jernigan, Consul General."

I also wired Minister Denby substantially what the telegram to me represented the state of affairs to be, andexpressed the opinion that it would be a safe precaution

tion

tion to have the "Petrel" to go to Hankow. Such I also understood to be my duty, and the facts wired by me to Minister Denby were cabled by him to Admiral Carpenter.

It was on the 11th or 12th that I received a private note from Mr. Emory about going to Hankow. The private note I wrote in answer ought not to bear the construction which the quotation you give would seem to imply. The occasion and circumstances under which it was written negative the idea that I meant to intimate to a subordinate officer that his superior officer was not attending to his business; and my conversations with that subordinate should have prevented any such impression. I could not have intended to disparage the Admiral, because I knew Mr. Emory had not acquainted him of the information which I had given Mr. Emory to cable to the Admiral. Mr. Emory said to me that he would write to the Admiral, and I answered that he should wire, as our ships should be where danger was expected. I meant that Mr. Emory was not sufficiently responsive to the situation. It was not my intention to intimate that Admiral Carpenter was not. Judicial fairness demands that letters should be read by the light of all the circumstances under which written; and I submit that a private note written by me under the circumstances described might well have been rejected as inadmissible evidence when offered to support a charge of official discourtesy against me.

The riots were in Consul Child's district, and it was very natural for me to suppose that he had wired the Admiral, as the Regulations give Consuls the right to wire direct to the Admiral. My object in wiring the minister was to place as many facts before him as I could learn to guide him in dealing with the Central Government.

The "Petrel" remained in port several days after the British and French ships had gone to Hankow, and this was why I wrote in the private note to Mr. Emory that had it been my duty to go to Hankow I would have gone on a mail steamer

steamer or a foreign war-vessel.. The "Petrel" could have reached Hankow before any other vessel, as I received the news of the apprehended danger a day or two in advance, and to have been there first would have excited the most favorable comment. One reason why the presence of the "Petrel" at Hankow was required is this:

When the riot occurred at Chengtu there were ten Americans in that city. Their homes and household effects were burnt or destroyed; they had left Chengtu and were on their way to Hankow, the nearest open port; and as small riots had taken place, within the intervening territory, other Americans were driven by fear of force from their missionary stations until the number on the way to Hankow for safety was about forty. I submit that to meet such a number of apparently destitute Americans, in order to render the assistance their needs required, one of our warvessels would have been judiciously occupied.

And when the "Petrel" did go to Hankow the evidence before the Department, enclosed in my No. 104, is very conclusive that her presence up the Yangtze had a quieting effect. The substance of this evidence, which was sent to me in the nature of despatches from Consuls Child and Jones, containing their own opinions and the opinion of the protestants and Catholics at Wuhu and other cities along the river, I enclosed in a despatch to Admiral Carpenter. I thought it would be pleasing to him to have such evidence of the usefulness of and the favorable impression produced by one of the vessels of his squadron. And I read in the American papers that this very evidence I sent to the Admiral was transmitted by him to the Navay Department, and has been given out for publication, and in consequence of which the Admiral and Lieutenant Emory have received the compliments of the American press.

The charge of affairs official

discourtesy preferred against me by Admiral Carpenter is controverted by the indisputable facts herein presented, and I submit that there might have been some hesitancy in the use of a private note, as indicated, a private note that proves its own private character, as the basis of a charge which the official records of this Consulate General so positively negatives.

I would not have the Department infer that I would hesitate to own publicly what I ~~said~~ wrote privately, but the Department will recognize the difference between an official and private communication, and the universally admitted sacredness of the latter, which at least should be construed in connection with the circumstances under which it was written.

I beg to assure the Department that no report, no charge which may be adverse to me will hurt me when I have the opportunityto place the facts by the side of it; and I respectfully request that the Navy Department be furnished with a copy of this answer.

I am, Sir,

Your obedient servant,

W. Jernigan

Consul General.

of the United States
Shanghai Sept 17 1875

Mr. Jernegan
To the Department of
State

Subject
Answer to the charge
of official discourtesy
by Admiral Carpenter

Bur. Bureau

No 109.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 24th Sept., 1895.

File

RECEIVED NOV 8 1895 DEPT OF STATE

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

S I R:

I have had the honor to receive the Department's No. 41, of Aug. 8th, 1895, instructing me to procure samples of Korean ginseng for the Department of Agriculture, and, in complying with the instructions, not to incur expenses exceeding one hundred dollars.

Bulletin No. 16, Department of Agriculture, was enclosed in No. 41.

I will secure the samples of Korean ginseng desired as early as possible, and have them properly forwarded.

I am, Sir,

Your obedient servant,

M. Jernigan

Consul General.

Shanghai Sept 3rd 1895.

Mr. Jernegan

to the

Department of State

Subject

Acknowledges No. 41.

Korean Ginseng.

No 110.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 25th Sept., 1895.

Ltr to Treasury Nov. 13/95

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

INDEX BUREAU RECD. NOV 8 1895 DEPT. OF STATE

SIR:-

I have the honor to acknowledge the receipt of your [redacted] No. 39, under date of July the 19th, relative to the exportation from China of raw silk to New York via San Francisco, together with a copy of the letter on the subject from the Collector of Customs, at San Francisco, and from the Treasury Department, stating that there would appear to be no good reason for forwarding free goods under the Immediate Transportation Act, except where they are included in the same invoice with dutiable goods.

The above correspondence has received my careful attention, and, in reply, I beg to state that there is every desire on my part to adopt any improvements suggested by the Collector of Customs at San Francisco so long as they are not in conflict with the laws in relation to the collection of revenues.

With reggrd to the exportation of raw silk from this port to New York via San Francisco, it has been theinvariable practice of this Consulate General from the time the Immediate Transportation Act came into force to issue the invoices in quadruplicate, handing the quadruplicate invoice to the shipper and duly forwarding the triplicate invoice, as requested by the Act, to the Collector of the port of New York.

As before stated, the shippers here inform me that they have no interest in having their silk entered at ~~New York~~ San Francisco, that the shipments are destined for New York and so stated in their Bills of Lading. To change the system, which has been invogue for years, would cause great inconvenience to the shippers, and, in my opinion, might impair the lien that the holders of the Bills of Lading have on the goods

[illegible]

[illegible]

[illegible]

goods.

Shipments of silk are mostly consigned to order, and are advanced upon and under lein to the bankxx here, and in no instances are the steamers or the railroadcompanies the consignees. The only lein the steamer companies and rail-road companies have on the goods is that of common carrier, and they are under contract to deliver the silk at the port of New York to the lawful holders of the bills of lading, and for the companies to ship the goods to any other port or place would be a breach of contract, and any xxx loss or damage arising from such wrongful shipment would have to be made good by them.

The telegram of Aug.___, revoking the Executive Order of April 3rd last, xxxxx to refer to this subject and confirms the practice of this Consulate General with regard to the shipments of raw silk from this port to New York via San Francisco as being the proper mode of procedure. However, if I am mistaken and the Treasury Department desires that the present system be changed, on receipt of xxxx instructions from you, the suggestions contained in the correspondence under reply, will prompply be complied with.

I will cheerfully meet the wishes and suggestions of the Collector of Customs at San Francisco whenever I can and at the same time keep within legal limits, as I at present understand such limits.

I am, Sir,

Your obedient servant,

M. Jernigan

Consul General.

Shanghai, Sept. 3rd 1895.

The Honorable
The Secretary of State
Washington D.C.

Sir:

I have the honor to acknowledge the receipt of your dispatch No. 30 of July 31st, transmitting a copy of a letter from the Treasury Department, relating to the importation of silk from this port to New York via San Francisco.

I will observe the proper mode of procedure.

Bonded goods.

Shipments of silk are usually consigned or in order, and are advanced upon and under lien to the consignee, and in no instances are the shippers or the Petitioners parties to contracts. The only lien the steamer companies and rail-road companies have on the goods is that of carrier, and they are under contract to deliver the silk at the port of New York to the lawful holders of the bills of lading, and the Petitioners only the power to ship to any other port, and there would be no reason of contract, nor any necessity for existing laws, for the delinquent shipment would have to be made good by them.

Revoking the Executive Order of [illegible], 1894, seems to refer to this subject and confirms the opinion of this Consulate General with regard to the shipment of silk from this port to New York via San Francisco as being the proper mode of procedure. However, if I am mistaken and the Treasury Department desires that the present system be changed, on receipt of such instructions from you, the suggestions contained in the correspondence under reply, will promptly be complied with.

I will observe with pleasure any [illegible] and suggestions of the Collector of Customs at San Francisco whenever I can, and at the same time keep within legal limits, as I at present understand such limits.

I am, Sir,

Your obedient servant,

[signature]
Consul General.

No.111.

file

INDEX BUREAU
RECD.
NOV 3 1895
DEPT. OF STATE

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 25th Sept., 1895.

Honorable Edwin F. Uhl,

Assiatant Secretary of State,

Washington, D.C.

S I R:

Complying with the Department's Circular of July the 25th, 1895, I have the honor to enclose a list of the officers of this Consulate General.

I have the honor to be,

S I R,

Your obedient servant,

W. Jennipan

Consul General.

1.--One enclosure as stated.

Consulate General U.S.A.
Shanghai Sept 25. 1895.

Wm. Jennings
To the
Department of State.

Subject.

Encloses a list of
officers of this
Consulate General.

No 117.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 26th Sept., 1895.

Recd. Nov. 13/95

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

EX BUREAU
REC'D.
NOV 8 1895
DEPT. OF STATE

Consulate General U.S.A.

S I R:-

I have the honor to request that the Department will permit me to either purchase a new typewriter or to exchange the one now in use at this Consulate General for a better instrument. The typewriter now used is a No. 4, Remington, and, having been in service for several years, is somewhat defective. As practically all the correspondence of this Consulate General is typewritten, and as there will be a very appreciable difference, in every way, between the work done on the machine now used and a better typewriter, I take the liberty of making this request of the Department, trusting that reason will be seen for granting it.

As to the kind of typewriter desired, I prefer a Yost Machine or a No. 2, Remington, -the former being more desirable.

The Department being willing I can easily dispose of the present typewriter, and use the proceeds of its sale as part payment on a new instrument.

I have the honor to be,

S I R,

Your obedient servant,

W. Jerrigan

Consul General.

Consulate General U.S.A.
Shanghai Sept 26/95.

No. 1
The Secretary of State
Washington
Subject
Report for the month
September

No 113.

CONSULATE GENERAL OF THE UNITED STATESOF AMERICA,

Shanghai, 26 Sept., 1895.

Copy to Treasury Nov. 12/95

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

TEX BUREAU RECD. NOV 8 1895 DEPT. OF STATE

S I R:

I have had the honor to receive the Department's circular, issued under date of August 22nd, 1895.

Under the instructions contained in the circular from this date all triplicate invoices of shipments of raw silk to New York, via San Francisco, will be forwarded by me to the Collector of Customs at San Francisco until I am instructed to do otherwise.

My despatch to you of yesterday's date I allow to go forward for the purpose of giving the Department all the information I have with regard to the shipments in question. The despatch was written the day before the circular was received.

I am, Sir,

Your obedient servant,

W. Jennings

Consul General.

Commercial Relations, U.S.C.

No 113.

Consulate General U.S.A.
Shanghai Sept 26 1895.

Mr. Seymour
To the
Department of State.

Subject.

Triplicate of invoice of
shipments of raw silk
to N.Y. via S.F.

P. and give
to press Nov. 12.

Mr Emory,

BUR. OF STATISTICS
ACKNOWLEDGED
NOV 12 1895

No 114.

RECD. NOV 8 1895 DEPT. OF STATE

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, Sept. 26th, 1895.

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

S I R:-

I have the honor to enclose a report of a general nature with reference to the four new treaty ports of China.

I have the honor to be,

S I R,

Your obedient servant,

W. Derringer

Consul General.

REPORT FILED IN Bureau of Statistics FOR PUBLICATION.

Consulate General U.S.A.
Shanghai Sept 26 1895.

Mr. Jernigan
To the
Department of State

Subject.

Enclosed Report on
the four new treaty
ports of China

Cons. Bureau
Ans'd Nov 13

No. 115.

CONSULATE GENERAL OF THE UNITED STATE OF AMERICA,

Shanghai, 26 Sept., 1895.

EX BUREAU
RECD.
NOV 8 1895
DEPT. OF STATE

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

S I R:

I have had the honor to receive the Department's communication of the 2nd July, enclosing a new official bond for George Adam Shufeldt, the Marshal of this Consulate General, to be executed in accordance with the direction therein given.

Enclosed you will please find said bond, duly executed in pursuance of your instructions.

I am,

S I R,

Your obedient servant,

W. Jennings

U.S. Consul General.

Consulate General Shanghai

Consulate General U.S.A.
Shanghai Sept 26th 1895.

Mr. Jernigan
To the
Department of State.

Subject.

Enclosed Marshal's
Bond.

No 116.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, China, 26th Sept., 1895.

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

S I R:-

I have the honor to confirm the cablegram sent you on the 17thinst., as follows:

Copy to Navy 11/13/95

"Uhl,

"Washington,

"Seven Kutien murderers decapi-
"tated this morning. Viceroy obstructive.

"Jernigan".

This cablegram was sent at the request of Consul Hixson. The wires from Shanghai to Washington are not at any point under the control of the Chinese.

Last week the German mission near Swatow was looted by six hundred Chinese rioters, and ConsulSeymour has requested me to inform Minister Denby of the unsettled condition of affairs in the Canton province.

The cablegrams sent to the Department by me are substantially the telegrams I receive from our Consuls.

I should prefer to cable intelligence of a peaceful character, for I wish China to be relieved of all disturbances and start on new lines of commercial and internal developments.

The Central Government is peacefully inclined, but unfortunately it does not appear to have the power to command the obedience of the provincial Viceroys; and these provincial satraps do not hesitate to shelve an imperial decree when it suits their interest and ambition.

The

The information I have sent to the Department has proven absolutely accurate, and the views I have respectfully submitted are based upon indisputable facts [illegible] the nature of overt acts.

Yesterday a despatch passed through this office to Minister Denby from our Consul at Ningpo, informing the Minister that incendiary placards were again being posted throughout the Ningpo district inciting hostility against foreigners, and the news from our Consul at Hankow, last week, to the Minister was that Hankow was threatened with a looting by the eight thousand soldiers there because they have not received their pay.

Our naval squadron in these waters should be composed mostly of gun-boats, such as can navigate the smaller inland rivers of China, and ought tobe stationed in Chinese waters during these troublesome times. Soon after the Chengtu riot the "Petrel" was sent to Yokohama, and when the Kucheng massacre occurred there was not a vessel near that could go to Foochow. Had the "Petrel" remained at Shanghai she could have gone direct to Foochow in response to the earnest and repeated requests of our Consul at that place for a vessel; but the "Petrel" was relieved by the "Detroit", which is too large to navigate the smaller rivers.

No one here can fail to receive the impression that the ulterior aim of European nations in all their moves on the diplomatic chess board of China is political power; and I beg to submit this impression as a reason for adhering most closely to our traditional policy of independent action.

The prestige of our country and the rights of Americans in China may be better promoted and secured, and more pleasantly and peacefully, by acting alone.

I am, Sir,

Your obedient servant, W. Jennings

Consul General

Consulate General U.S.A.

Shanghai Sept 26/95.

Hon. Jernigan

To the

Department of State.

Subject.

Containing cablegram

and observations about

Chinese affairs.

Pr. and give to press. Nov. 12.

McEnery.

BUR. OF STATISTICS
ACKNOWLEDGED
NOV 12 1895

No. 117.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 11 Oct., 1895.

CONSULAR BUREAU
RECD.
NOV 8 1895
DEPT. OF STATE

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

S I R:

I have the honor to enclose a table showing the average price of Chinese labor at Shanghai, preceded by some observations suggested by passing events in China.

I have the honor to be,

S I R,

Your obedient servant,

N. Jernegan

Consul General.

Enclosure as stated.

REPORT FILED IN
Bureau of Statistics,
FOR PUBLICATION.

Despatch from Consul U.S.A.

Marshal's Office
District of Alaska
Division Point
Nov. 11th 1897.

Mr. Lucas
Dept. of State
Washington D.C.

Sir:

I have the honor to enclose a copy of Chinese Labor at Dutch Harbor, Alaska, as suggested by passing events in

CONSULAR BUREAU
NOTED.

No. 118.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 11 Oct., 1895.

CONSULAR BUREAU
RECD.
NOV 8 1895
DEPT OF STATE

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

S I R:

I have the honor to enclose herewith a certificate certifying to the marriage of Francis Martin Royall to Mary D. Sullivan, on the 9th of Oct.

I have the honor to be,

S I R,

Your obedient servant,

M. Jernigan
Consul General.

CONSULAR BUREAU.
NOTED.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA October 9 1895.

I, J. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, do hereby certify that on this 9th day of October A.D. 1895, at the U.S. Consulate Genl in SHANGHAI Isaacs Martin Royall aged 31 years, born in Wagram North Carolina and now residing in Chinkiang and Mary D. Sullivan aged 21 years born in New West End Cincinnati and now residing in Chinkiang were united in marriage before me, and in my presence, by Rev. Hilliard Lyon who is authorized by the laws of United States to perform such a ceremony.

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI *this* 10th *day of* October, *A.D.* 1895, *and of the* INDEPENDENCE OF THE UNITED STATES *the* 119½.

J. Jernigan

U. S. Consul General.

No 119.

CONSULATE GENERAL OFTHE UNITED STATES OF AMERICA,

Shanghai,11 Oct.,1895.

DIPLOMATIC BUREAU
REC'D.
NOV 8 1895
DEPT. OF STATE

Honorable Edwin F.Uhl,

Assistant Secretary of State,

Washington,D.C.

S I R:

I havehad the honor to receive your No.47,of Aug.29,mentioning that under separate cover you forwarded Vol.158 of the United States Reports,for the official use of this Consulate General.

The receipt of the Volume mentioned is hereby acknowledged.

I have the honor to be,

S I R,

Your obedient servant,

W. Jennigan

Consul General.

Ack. Nov. 11.

Comply + so inform him
Return dispatch

No. 130.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

Shanghai, 11 October, 1895.

BUREAU
OCT 1895
STATE

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

S I R:

Ihave the honor to request that hereafter in supplying this Consulate General with the Consular Reports two copies, instead of one, be sent.

Merchants of the city often desire to have the Reports, and I wish to keep one on file.

I have thehonor to be,

S I R,

Your obedient servant,

W. Jernigan

Consul General.

No. 131.

Consulate General U.S.A.,
Shanghai, October 1st, 1885.

Sir,

I have the honour to inform you that I have received from the Chinese Authorities the sum of Taels 1,000 (one thousand Taels) in payment of the claim of the late Mr. Duncan Stewart, and I have the honour to enclose herewith the receipt for the same.

I have the honour to be,
Sir,
Your obedient humble servant,

The Secretary of State,
Washington.

Consulate General U.S.A.
Shanghai September 30, 1895

To the
President of the United States
Washington D.C.

I hereby
resign my commission as
Interpreter of this Consulate
General, to take effect from
this date.

I remain with respect
Yours obediently

Walter Scott Emens

Mr Emory.

BUR. OF STATISTICS
ACKNOWLEDGED
NOV 20 1895

No. 172.

Enclosure filed in Bureau of Statistics for publication.

INDEX BUREAU RECD. NOV 19 1895 DEPT OF STATE

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 18 Oct., 1895.

Honorable Edwin F. Uhl,

Assistant secretary of State,

Washington, D.C.

S I R:

In my report on cotton mills at Shanghai, I was misled by some statistics as to the value of Japan's demand for American raw cotton, and I enclose correction, which I respectfully request be made.

I have the honor to be,

S I R,

Your obedient servant,

W. Derrickson

Consul General.

Enclosure:

1.--Correction as above stated.

No. 1772

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,
Shanghai, [illegible]

[illegible] Room 2,Wu,

American Embassy,

Washington,D.C.

Sir:

I have the honor to acknowledge
[illegible] the receipt of your [illegible] dated
[illegible] and to say in reply that
[illegible] I regret that [illegible] I cannot
[illegible] this.

I have the honor to be,

Sir,

Your obedient servant,

[illegible]
Consul General.

Enclosure:

1.--Correction as above stated.

Bur. Bureau
Copy to Agriculture
with encl.
Nov. 22/95

No. 173.

CONSULATE GNEREAL OF THE UNITED STATES OF AMERICA,

Shanghai, 18 October, 1895.

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

BUREAU
RECD.
NOV 19 1895
DEPT. OF STATE

S I R:

Complying with the Department's No. 41, of August the 8th, 1895, enclosing a letter from the Department of Agriculture requesting that samples of Korean ginseng be procured for it, at an expenditure within one hundred dollars, I have the honor to inform the Department that I have procured such samples as I understood were desired, and forward them, in one of my mail pouches, in a box directed to the Department of Agriculture, care of Department of State.

Ans. 3/55

The samples were procured through the kindness of the Commissioner of Customs for this port, Alfred E. Hippisley, Esqr., and may be relied upon as samples of genuine Korean ginseng.

There are four typical samples, according to the enclosed memorandum contained in Mr. Hippisley's letter, - a copy of which is herwith enclosed.

The cost of these samples, in gold, is twenty eight dollars and seventy two cents ($28.72).

I have the honor to be,

S I R,

Your obedient servant,

W. Jernigan
Consul General.

Enclosure:

1. As above stated.

No. 1773.

Consulate General of the United States of America,

Shanghai, China, Oct 18 1895.

Sir:

I have the honor to transmit herewith a copy of a letter addressed to this Consulate General by Alfred E. Shipley, Esq., and to request that you will be pleased to inform me whether the writer is entitled to the protection of the United States.

There are four applicants mentioned in the enclosed letter, a copy of which is hereto attached.

The cost of these applications is thirty eight dollars and seventy two cents ($38.72).

I have the honor to be,

Sir,

Your obedient servant,

Consul General.

The Honorable Secretary of State,

Washington, D.C.

Enclosure:

1. As above stated.

CONSULAR BUREAU.
NOTED.

No. 174.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 18 Oct., 1895.

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

CONSULAR BUREAU
RECD.
NOV 19 1895
DEPT. OF STATE

S I R:

I have the honor to inform you of the death of Charles Vincent, a pilot, which occurred on the 7 Sept., 1895. The cause of death was Aneurism of the Aorta. Deceased was fifty years of age; was a naturalized American citizen; and was a resident of Shanghai.

Mr. Vincent left a widow and one child. His widow has renounced her right to administer on the estate of her husband in favor of Rufus Franklin Eastlack, an American citizen of good standing, who has qualified as Administrator, executing a sufficient bond, and has taken charge of the estate according to law.

The estate is small.

I have the honor to be,

S I R,

Your obedient servant;

W. Jennings

Consul General.

Shanghai Oct 18/93

No. 1 American

To the Department of State,

Reports the death of Thos. D. Dwight (deceased)

Cons. Bureau

Ack & bond to Insp Nov. 5

No. 135.

INDEX BUREAU RECD. NOV 19 1895 DEPT. OF STATE

CONSULATE GENERAL OFTHE UNITED STATES OF AMERICA,

Shanghai, 18 Oct., 1895.

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

S I R:

I have the honor to enclose the bond of Rufus Franklin Eastlack, Deputy Consul General of the United States, at Shanghai, in accordance with the Department's Circular, of June the 29th, 1895.

I have the honor to be,

S I R,

Your obedient servant,

M. Jernigan

Consul General.

Enclosure:

1. Bond, as above mentioned.

No. 1727

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, Oct. 18, 1895.

To the Department of State,

Washington, D.C.

Sir:

I have the honor to enclose herewith a copy of a letter addressed to me by Messrs. Sander, Read & Co., Bankers, of this city, relative to the Bonds of the Imperial Government of China, which have been called in for redemption.

I have the honor to be,

Your obedient servant,

Consul General.

Enclosure:

As above mentioned.

(Pr.)

Mr Emory.

BUR. OF STATISTICS
ACKNOWLEDGED
DEC 3 · 1895

No 176

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 23rd Oct., 1895.

INDEX BUREAU RECD. NOV 29 1895 DEPT. OF STATE

THIS ONE FILED IN PUBLICATIONS

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

S I R:

I have the honor to enclose a report on the Ocean Routes to Shanghai and the Trade of China.

I have the honor to be,

S I R,

Your obedient servant,

W. Merriman

Consul General.

Shanghai Oct 23 1895.

Mr. Jernigan

To the

Department of State.

Subject

Enclosing Report

Ocean Routes to Shanghai

and

Trade to China.

No. 127

File

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA.

Shanghai, China, Oct. 25. 1895.

Hon. Edwin F. Uhl,

Assistant Secretary of State,

Washington, D. C.

S I R ;

I have had the honor to receive your No. 48, of September 10, with reference to the meetings of American citizens at Shanghai soon after the Chengtu riot, and the resolutions adopted by American citizens at Shanghai, and my action in connection therewith.

The Department seems to be under the impression that I signed the resolutions. The resolutions were never presented to me for my signature, nor did any one even enquire if I would sign them.

I would not have signed the resolutions had they been presented for my signature, and I should have answered negatively had I been requested to sign them. There was no occasion for either.

The resolutions were not passed at the meeting for consultation. They were passed at a subsequent meeting of American citizens and were not intended to arraign the government of China, but to denounce the burning and whoever

might be proven responsible for it.

The fact that the property of American citizens had been burnt and destroyed at Chengtu was known and admitted by China.

Had I not complied with the written request of my countrymen to attend their meeting, in the first instance, and counsel with them in their troubles, a very unfriendly feeling would have been excited against their Consulate General. I said to them that nothing could be done until the facts were known, and to learn all the facts they could, reduce them to writing and bring the papers to me and I would forward them to the proper authority. This was what I did; acted as an adviser, and medium for American citizens to communicate with their government. Nothing was said unfriendly to the government of China, nothing was meant unfriendly to the government of China, which has manifested a desire and made the effort to have the guilty punished.

I read in the home papers that Minister Denby was censured at the meetings of American citizens here. There is not a word of truth in it, for when the papers and resolutions prepared by the two American meetings were brought to me the Committee requested me to convey to Minister Denby their confidence in his fidelity, ability and energy and this was done in my despatch enclosing the resolutions, for which the Minister returned his thanks, and wrote that the papers were

valuable to him.

I beg to submit the above facts to the Department, and add, if I can with becoming modesty, that my course in the matter has been commended favorably by every foreign journal in the East, and I have received from foreigners of all nationalities in Shanghai the most friendly expressions of approval. My colleagues of the Consular body have been most kind in their words of commendation. And at the recent Conference held here by the representatives of one of the largest religious denominations of the United States, a resolution was passed most favorable to me, and Bishop Hendrix, the presiding Bishop, presented me with a large picture of the Conference, in session, as a testimonial of confidence and appreciation.

I have only taken such action, the import and meaning of which, when understood, I believed would commend itself as in the interest of the prestige and influence of my government.

I am,

S I R ,

Your ob't servant.

M. Jernigan

CONSUL GENERAL.

U.S. Consulate General
Shanghai, China
Dec. 26, 1895

Mr Jernigan
To the
Department of State

Subject:

Meeting of American citizens

No. 129

F.U.

ASSISTANT SECRETARY
MAR 2 1896
DEPARTMENT OF STATE.

INDEX BUREAU
RECD.
NOV 29 1895
DEPT. OF STATE

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA-

Shanghai, China, Oct. 25. 1895.

Hon. Edwin F. Uhl,

Assistant Secretary of State,

Washington, D. C.

S I R;

I have had the honor to receive Department No. 49 of September 12, instructing me to report on the extent and duties of the keeper of the United States prison in Shanghai.

The duties of the keeper of the prison are such as the office naturally suggests, and the keeper is generally employed, when not occupied by the duties of his office, in assisting the different officers of the Consulate General. He is not engaged, otherwise, in any business whatever.

I am,

S I R,

Your ob't servant.

W. Jernigan

CONSUL GENERAL.

Consulate General U.S.A.
Shanghai Oct 25th 1895.

Mr. J. K. Jernigan
To the
Department of State

Subject
Duties of the Keeper
of the United States
Jail at Shanghai.

CONSULAR BUREAU.
NOTED.

No. 129.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 2nd Nov., 1895.

CONSULAR BUREAU
RECD.
5 1895
DEPT OF STATE

Honorable Edwin F. Uhl,

Assistant Sec'ty of State,

Washington, D.C.

S I R:

I have the honor to enclose herewith a certificate, certifying that on the 14th of October, 1895, Hans George Smidt, a seaman on the United States man-of-war, the "Monocacy", was united in marriage to Hign shi Tzong, a Japanese woman;-the marriage taking place in this Consulate General and in my presence.

I have the honor to be,

S I R,

Your obedient servant,

W. Jernigan

Consul General.

Enclosure:

1)--As stated above.

CONSULAR BUREAU. NOTED.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA October 14 1895.

I, J. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, do hereby certify that on this 14th day of October A.D. 1895, at the U.S. Consular Canal in SHANGHAI James George Swidt aged 41 years, born in Denmark, and now residing in Shanghai and Nagu chi Izuu aged 23 years born in Japan and now residing in Shanghai Ogma were united in marriage before me, and in my presence by Rev. John N. Hykes who is authorized by the laws of the United States to perform such a ceremony.

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI *this* 25 *day of* October, A.D. 1895, *and of the* INDEPENDENCE OF THE UNITED STATES *the* 119th

J. R. Jernigan

U. S. Consul General.

No. 130.

Consulate-General, U. S. A.,
Shanghai China November 14, 1895.

Mr. Jernigan.
To the Department of State.

Ans
12/24/95

SUBJECT:

Public meeting at Shanghai.

ABSTRACT OF CONTENTS:

No 130.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 12 Nov., 1895.

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

S I R:

From the tenor of the Department's communication, with reference to the public meetings held at Shanghai, soon after the riots, the received impression does not appear accurate.

Soon after the American sufferers by the Chengtu riot arrived at Shanghai they were asked by the resident Americans to meet them in the vestry room of one of the foreign churches to consult as to what should be done. A written invitation to be present was sent to me. The meeting was composed exclusively of American citizens, and was called for consultation only. It was decided to appoint a committee to request the written statements of the Americans who were at Chengtu; reduce them to writing, and bring them to me to be forwarded to you and the Minister.

No resolutions of any kind were passed, and not an unfriendly sentiment against China, or any American representative in China, was uttered at the meeting, but confidence in American representatives in China was expressed.

This was the meeting that I attended, and I frankly stated that American citizens in China might well feel assured that their Government was not only willing, but strong enough, to redress their wrongs when the evidence pointed out those wrongs, and that, after investigation, should it appear that any Chinese officials was guilty of inciting the riot, he would not be allowed to escape deserved punishment.

No

No American that I have seen ever doubted the purpose of his Government to protect him in the enjoyment of his life, liberty and property.

For an American official, occupying my position, to have declined such an invitation as was extended to me, and for the purpose indicated, would certainly have seriously affected his usefulness in China and also have been unfavorably regarded by the Chinese.

There was a second meeting of American citizens at Shanghai, and this was the meeting to pass the resolutions. I had nothing whatever to do with this meeting, butthere is nothing in the resolutions except the expression of the opinion that those who actually burnt, or incited the burning, of the homes of American citizens ought to be punished; not a sentiment inimical to the Government of China appears in the resolutions, but the sentiment that does appear in them has met the approval of the civilized world, and China has degraded the very officials who were entrusted with the civil government of the province in which the riot has occurred.

I beg to assure the Department that American influence and interest in Asia will not be advanced and proppered except by a distinctively American protectorate over it.

China is at the threshold of a great change, and, to enhance our interest on all the lines of trade and commerce, no proper occasion should be omitted to impress upon China that the Government of the United States is not only the most just, but the most powerful, in the world.

The indignation meeting was held at Shanghai after the Kutien massacre. There were about eight hundred of the leading citizens of Shanghai present, and the criticisms indulged in were quite sweeping. I did not attend the indignation meeting. It was held in the public hall of the hotel where I boarded, and I did not go into the hall because

I

I understood what the object of the meeting was, and I was restrained by a sense of official propriety, though several of the Consul Generals of other nationalities occupied seats in the hall.

The foreign population of this city ~~is~~ was greatly excited over the news of the Kutien massacre, and at a such times sentiments are uttered, which, in calmer moments, are ~~mx~~ essentially modified.

I have the honor to be,

S I R,

Your obedient servant,

W. Ferris

Consul General.

No. 131.

File for reference

BUREAU OF STATISTICS
GIVEN TO PRESS.
12/19
DEPT. OF STATE.

BUREAU
RECEIVED
19 1895
OF STATE

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 19 Nov., 1895.

Rec'd Jan. 2

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

S I R:-

I have the honor to enclose an interesting article on "Camphor and the Camphor Industry "of Japan", which appeared in the Japan Weekly Mail, of Nov. 9. 1895.

I have the honor to be,

S I R,

Your obedient servant,

M. Jernigan

Consul General.

Enclosure:

1.---Article from Japan Weekly Mail, as above stated.

No 131.

Consulate of the United States of America,
Shanghai, November 19th 1895.

Sir,

I have the honor to enclose herewith
Declaration of Intention of Ah Sing
to become a citizen of the United States.

I am, Sir,
Your obedient servant,
Edward Bushell
Consular Clerk and Deputy
Marshal of the United States.

The Honorable
The Secretary of State,
Washington, D.C.

ed. There was the "Enquête parlementaire" in 1871 going fully into the merits of all persons concerned, Benedetti's book of 1871, Gramont's account of 1872, Ollivier's recent publication, Madame Carette's Souvenirs, Girandeau's "Napoleon III. *intime*," the Memoirs of King Karl of Roumania, Emperor William's, Roon's, Moltke's correspondence and notes, Emperor Frederick's diary, Bismarck's straightforward stories, Lord Loftus' Reminiscenses, Lord Lyons' Despatches, Beust's Memoires (to mention only the names of close observers) to enlighten us on that point. Is there really any fear that we cannot see the truth, and that men like Blowitz (who as you state yourself is never to be taken *au pied de la lettre*) may still deceive us? Honestly speaking, I am of opinion that you could have solved all your doubts, if time and circumstances had allowed you to refer to any of the recent standard histories of that period, *e.g.* Vol. III. of Sybel's grand work.

Hoping that the plural in the title of your article means that you will bring more abstracts from English papers reviewing the great events of 25 years ago, I have the honour to be,

Yours respectfully, HISTORICUS.

Tokyo, November 2nd, 1895.

CHINESE CHARACTERS.

To the Editor of the "Japan Mail."

Sir,—In your issue of yesterday is published another letter by the person who arrogates to himself the position of censor on the subject of "Chinese Characters." I would not take the trouble to reply to his puerilities, were it not that, as he has already had three opportunities of expressing his views, it is, with your kind permission, my right to have the last word.

As regards the "on" he now changes his ground. What he in his haste called "erroneous" turn out to be merely "seldom used." I would remind him that he is no judge of what is the real "on" of any character, and that if he wishes to be certain, he must consult some standard Japanese dictionaries, which so far he has not done.

For instance, take the character 播. The "on" is *ha* not *han* in all Japanese dictionaries. I have not got my books of reference down here, but turning to those I have borrowed, the 四聲字林集韻 and the 增續大廣益會玉篇大全, I am confirmed in my previously expressed opinion that the proper "*on*" of 播 is only "*ha*." The latter dictionary gives the very example I furnished, viz:—播棄, *ha*-ki, not *han*-ki. In my first letter I quoted the Chinese sound of the character to show him that he must be wrong, as I fancied he might possibly know the principles which regulate the Japanese pronunciation of a Chinese Character. He apparently does *not*.

As to 拐 the same two dictionaries give only *kai* as the *on*, and the latter quotes the same example as I do, namely, 拐騙, *kai*-hen. He has never been in a Japanese Court of Law, or he would know that 拐帶 *is* pronounced *kai*-tai.

"By all the Japanese I consulted." Let him find out the facts for himself by personal research, and not rely entirely upon his teacher, who may or *may not* be right. "拐騙 is read *katari*," is it? How the two characters are expressed by *one kun* is incomprehensible. The *jukuji* is *not* read *katari* in any case. He will find the proper *kun* in my last letter.

I gave examples, *with my authorities*, in my last letter of 恙, 牀, 衾, 旁, 窠, and others which he does not mention. (How about the proverb quoted by him that to be silent on any point is to acknowledge yourself beaten?) I shall not repeat my examples. He can refer to my letter.

He says 葢 is read *sa* on page 138 of the Daizōho-kango. Yes, and I give *sa* as the first "on." But he is uncandid enough only to tell half the truth. On another page of the same authority, he will find the "on" given as "*shi*," which I also give, with my examples. He says if I had given what he is pleased to term the "usual" "on," in the characters he criticises, he would, have said nothing. This character is a case in point. I really fail to see how any "on" which is not to be found in any Japanese dictionary, but is simply occurs erroneously in colloquial use, is "of so incomparably much greater importance" than those which are to be found there.

Williams gives 卍 under the radical 十. That is sufficient authority for me. "I know very well that 卍 occurs in Buddhistic works in China, but to maintain that it is a Chinese Character is very much the same as if one would pronounce ? or ! to be of Japanese origin, because in certain recent prints they are used in the sense of the particles *ka* respg. *yo*." What does this mean? His sentences are so involved that it is often impossible to grasp his meaning. I shall be glad to include both ? and ! in the next edition of my work, if he can give me any authority to show they are Chinese Characters.

Then to take the characters 染, 梁, and 堰! It is admissible to put the first two, as I have done under the radical 木: it is absolutely wrong to place the last under Radical 阝. He misquotes Williams, as far as I can remember. The word "formerly" ought not to appear. To prove that I am correct as to these last mentioned characters, I refer him to page 84 of the 增續大廣益會玉篇大全.

There is an objection to admissions made in footnotes. They show an undue haste to appear in print,—a fault from which this critic is very far from free.

"He ought to know that 旀 when used in Japan is used as a secondary synonymous form of 尒." He ought *not*, because it is *not* so used. I said it was want of candour which made him persevere in his error: I find it is want of knowledge.

He is most emphatically wrong in saying that my 睞 rai, of *hō rai* is a misprint for 牀. It is not. See p. 71 of the 增續大廣益會玉篇太全; there is no such character used here as the one he gives.

Again, he says I "confound" 卍 with 乐, 犇 with 猋, 叫 with 叫, 獘 with 弊, and 棊 with 碁. I do not. Each one he names is the same, according to Williams, as the one I refer him to.

I am perhaps as capable as he of appreciating Mr. Gubbins' excellent dictionary. I observe he passes by in silence the points on which I quote the "Dictionary of Chinese-Japanese words" to show him his mistakes, and only mentions those on which he thinks Mr. Gubbins agrees with him.

Yours truly, A. H. L.

Kobe, October 31st, 1895.

[We can not publish any more correspondence on this subject. —Ed. *J. M.*]

CAMPHOR AND THE CAMPHOR INDUSTRY IN JAPAN.

(Specially compiled for the "Japan Mail.")

One of the problems brought into prominence by the recent war and the annexation of Formosa to Japan, is the camphor industry. It is a problem in which Japanese and foreigners are interested: the former, because, owing to the steadily increasing demand for camphor in Europe and America, and the equally steady decline of the Japanese supply, they are anxious to turn to the fullest possible account the camphor-producing capacities of the newly acquired territory, the only place outside Japan where camphor can be cultivated: the latter because they apprehend that the supply having now fallen wholly under the control of one nation, whereas formerly it was in the hands of two competitors, the market will be completely at the mercy of the monopolist.

The supply of camphor in the interior of Japan is now indeed in a deplorable condition, for so ruthlessly have the precious trees been felled that few, if any, are to be found in private ownership. Those that still remain are in State forests, but even there the danger of extermination threatens, owing to the fact that the value of the trees prompts clandestine felling on a large scale.

The tree (*Curnamomum Camphora*, Nees) has peculiar habits. It grows only in certain localities facing south and within reach of sea air, where the average annual temperature is above 15° C. Thus, even in Japan, it can be cultivated only in Shikoku, Kiushu, and a limited part of Kii and Izu; that is to say, only in districts situated within 10° to 36° north latitude.

It attains the greatest size of any tree in Japan, specimens being frequently found that measure above 40 ft. in circumference. Such grand trees are to be seen chiefly in the precincts of shrines, on which account they are sometimes called *Shinboku* (sacred trees). The tree being of comparatively slow growth (from ½ to 1½ inches in circumference annually, according to soil, cultivation, and so forth), the people of Tosa, where it is largely grown, are wont to say that its value increases at the rate of one *yen* a year. It is in truth the most precious and profitable tree in Japan, for even if the price of camphor be estimated at 30 *yen* per picul, or less than a third of the price now ruling, the yield from 1 *cho* (2½ acres) of land does not fall below 10,000 *yen* a year, after the trees have attained to a suitable size.

The are two or varieties in Japan, popularly distinguished according to the colour of the young leaves, as "red camphor" and "blue camphor." Of the two, the former is generally considered to contain a higher percentage of camphor. Speaking generally, the percentage varies considerably according to locality, soil, age, and also in different parts of the same tree. The root and stump contain the highest percentage, and the yield becomes less the higher the section taken. Owing to the fact that the older the tree the greater the amount of camphor it contains, formerly, when the demand for this article was still comparatively limited and market prices were low, only trees above 80 years of age were used, and even then only the stump and the stem up to the first branch together with such portion of the roots as could be easily dug-out, were taken. Subsequently, however, as prices rose and the material became scarce, the tree was considered to have attained a suitable age even when its rings counted less than forty, and morever, not only the small branches, but ultimately even the leaves were used for extracting camphor. In the case of a tree several centuries old, the bark becomes covered with a white deposit of camphor exuding from the wood of the trunk.

It is not clear how far back the manufacture of camphor dates in Japan. There are reasons for believing, however, that the industry was carried on in very remote times, and that the processes were imported from either China or Korea. In Tosa and Sakuma the manufacture used to be, and still is, most extensive. There, as also in other camphor districts, rigid regulations were enforced in pre-Restoration days for the protection of the trees. Any one clandestinely felling a tree, whether in a government or a private forest, was liable to severe punishment, exile, or even death being at times inflicted, according to the gravity of the offence. About 180 years ago, the feudal chief of Satsuma conceived the idea of carrying on camphor manufacture as an official business, and, during more than one century from that time, 120,000 catties of crude camphor were sent every year to Nagasaki. It is said that the business yielded a net profit of about 1,000 *ryo* per annum.

Old as the manufacture *is*, the process is still primitive and admits of considerable improvement. In almost all the camphor districts the same methods are pursued. Abundance of water being a necessity, a site in the vicinity of a river is chosen, and a furnace is built of stone or brick. Upon it is placed an iron pot measuring, in general, 2.7 feet in diameter and 1.5 feet in depth. Over this pot is set a wooden cask, 3.8 feet deep and 2.6 feet in diameter at the lower end, and 1.2 feet at the top. The cask has no bottom but rests on a perforated board that serves at the same time as a cover for the pot. In the lower part of the cask a bamboo pipe is fixed to regulate the amount of water in the pot. After the cask has been set in position, it is plastered with clay to a thickness of about an inch, then tied round with ropes, and again plastered with clay. On a somewhat elevated spot, separated from the cask by a distance of from 5 to 7 feet, cooling receptacles, two in number and one within the other, are placed. These are made of pine, and are rectangular in shape, the lower measuring 6 feet by 3 feet with a depth of 6 inches, and the upper being somewhat smaller. The latter is separated horizontally into two compartments, the higher for receiving water that flows from a bamboo projecting over it, the lower for receiving the volatilized camphor steaming from the cask. In this lower compartment pieces of board, five to ten in number, are fixed crosswise, and in the upper is a small bamboo pipe through which water is passed to regulate the temperature of the furnace. Finally, a bamboo tube connects the upper part of the cask with the upper compartment of the cooling receptacle. There is no division of labour: the man that chops the camphor chips and brings them from the forest is the same that manages the furnace.

The chips are small—1½ inches wide and about ½ inch thick—and care is taken to cut them across the grain. About 30 *kwamme* (250 lbs.) of chips can be cut by an ordinary workman between morning to evening. They are packed closely into the cask from above. Water is then allowed to flow into the pot through the pipe from the cooling receptacle; when the pot is full the cask is closed with a furnace lid over which clay is thickly plastered. The fire is now lit, and kept burning strongly until steam is seen to issue from the pipe fixed in the upper compartment of the cooling receptacle, whereupon the fire is reduced, and a quantity of fagots sufficient to keep it burning slowly throughout the night is thrown in, the mouth of the furnace being then closed with stones so that only a small opening is left. This partial closing of the mouth of the furnace is said to be the most difficult part in the whole process. Next morning, water is again conducted into the iron pot;

the fire is fanned to a high temperature and then once more lowered, the mouth also being partially closed as before, after which the workman goes to obtain a fresh supply of chips, and on his return in the evening, the cask is emptied of the steamed chips and fresh ones are packed in. Thus the time generally allowed for extracting the camphor from the chips is some 24 hours. For about ten to fifteen days the furnace is kept alight. When the receptacles become thoroughly cooled the connection between the upper and lower compartments is severed. The camphor deposited on the boards and sides of the lower compartment is then scraped off, while that found floating on the surface of the water in the upper compartment is collected by skimming. The deposits thus obtained vary considerably in amount according to the quality of the raw material and the skill of the fireman. They range from about 35 catties to as little as 5 or 6 the average being a little over 20 catties. The camphor is next transferred to a tub called the "dripping tub" (tare-oke), where it remains for about three whole days, the tub, meanwhile, being tilted so as to facilitate the dripping process. Finally, the camphor is packed in another tub, having a duplicate cover to prevent evaporation. The junctions of the cover and the body are sealed with a narrow strips of strong paper, and the tub is ready for transportation to Europe or America. It holds about 120 catties of camphor.

The above is a brief account of what is commonly called the Tosa process. It will be seen at once how primitive and imperfect is the mode adopted. At present, however, owing to the difficulty of getting a sufficient supply of raw material in any one district mechanism of a more scientific nature can not be fully availed of. Nevertheless, it is easy to see that there is room to effect improvements in the present methods of manufacture even on a small scale, and also in the mode of packing. Prof. Moriya, of the College of Agriculture in the Imperial University, has convincingly proved the possibility of extracting a larger percentage of camphor by slightly improved processes. He substituted an iron distiller for a wooden, and an iron boiler for an iron-pot, and increased the number of cooling receptacles to two instead of one. The material used by him for experimental purposes was of such inferior quality that experts employing the old system could not expect to obtain more than 2 per cent. of camphor. But the Professor obtained 5.23 per cent. His experiments have also shown exactly how the percentage of yield differs according to the different parts of of the tree used:—

	Per cent.
Twigs	2.21
Branches	3.70
Upper part of the stem	3.84
Lower part of the stem	4.23
Upper part of the stump	5.49
Lower part of the stump	5.74
Root	4.46
Average	4.22

These figures compare well with the following results of manufacture conducted by the old method at various places:—

Place.	Quantity of material.	Camphor obtained.	Percentage.
Kochi	1,813 catties...	30 catties...	1.65
Miyazaki	3,375 catties...	90 catties...	2.67
Fukuoka	1,000 catties...	20 catties...	2.00
Wakayama	625 catties...	10 catties...	1.60
Kochi	1,688 catties...	34 catties...	2.00
Wakayama	313 catties...	5 catties...	1.60
Average...	1,469 catties...	31.5 catties...	2.15

Crude camphor contains on an average 10 to 15 per cent. of oil, which, in turn, yields about 50 per cent. of camphor. Prof. Moriya's experiments show that camphor obtained from the upper part of the tree is more oily than that obtained from the lower part. Camphor is extracted from the oil by cooling the latter with freezing mixture.

The percentages of camphor and oil differ according to the season, the former being higher in winter and the latter in summer. Experiments conducted at a certain manufacturing establishment in Tosa gave the following results according to season:—

	Material used.	Camphor obtained.	Oil obtained.
Obtained in one day in summer	200 catties	4 catties 9 *go*	
Obtained in one day in winter	200 catties	5 catties 3½ *go*	

Further, camphor is more subject to evaporation during the hot months than in the cold season.

According to quality, camphor is divided into four different kinds, viz., "*Iyo-kare*" (best dried), "*Chu-kare*" (moderately dried), both of which contain little oil and are chiefly intended for export to Europe and America; "*yamakata shono*" (mountain camphor), and lastly "*sai-sei shono*" (re-manufactured camphor, that is to say separated from the oil), both of which are more oily and are of inferior quality. The two last are chiefly sent to China. Camphor is one of the staple exports of Japan. Practically speaking, it is now produced in Japanese territory only. Since it was first sent abroad, the quantity exported and the price have undergone considerable changes, the price having risen as the quantity has decreased, especially in recent years. The following table shows the export of camphor and oil from the first year of *Meiji*:—

Date.	Camphor. Catties.	Yen.	Price per catty.	Camphor oil. Catties.	Yen.	Price per catty.
1868	468,154	77,097.960	.165	—	—	—
1869	685,812	225,339.210	.267	—	—	—
1870	2,360,361	835,702.850	.251	—	—	—
1871	910,938	129,864.170	.142	—	—	—
1872	650,969	88,732.250	.136	—	—	—
1873	445,677	68,437.480	.254	—	—	—
1874	1,123,584	155,550.230	.138	—	—	—
1875	1,107,171	138,583.000	.125	—	—	—
1876	1,363,639	174,317.560	.128	—	—	—
1877	1,567,598	238,166.120	.152	—	—	—
1878	2,004,952	323,664.840	.161	—	—	—
1879	2,504,324	455,910.070	.182	—	—	—
1880	2,649,962	596,223.970	.226	—	—	—
1881	3,683,816	706,237.580	.192	—	—	—
1882	5,008,413	869,127.430	.174	—	—	—
1883	4,854,342	707,099.760	.146	—	—	—
1884	4,572,005	549,503.060	.120	177,176	5,630.200	.032
1885	3,970,085	538,641.510	.242	375,199	13,906.000	.037
1886	3,450,033	928,027.820	.270	886,249	36,087.860	.041
1887	6,478,094	1,130,506.360	.175	1,052,009	38,565.500	.032
1888	4,555,160	1,017,887.380	.223	1,149,299	35,371.400	.030
1889	4,971,849	1,391,371.870	.279	867,414	40,992.430	.047
1890	4,463,881	1,931,993.540	.433	778,902	38,721.670	.049
1891	4,439,051	1,609,104.650	.362	821,539	35,725.900	.043
1892	3,064,605	1,274,732.600	.416	699,830	34,931.950	.050
1893	2,487,485	1,308,810.750	.526	444,284	24,831.220	.054
1894	2,071,378	1,003,950.350	.485	427,251	23,015.950	.054

It will be seen from the above that camphor attained its maximum export in 1887, and its maximum price in 1890, whereas the minimum price was in 1884. Since the fall of last year it has risen rapidly, until at present the quotation is approximately 100 *yen* per 100 catties. The prices commanded by crude camphor in Japan since 1887 are as follow:—

	Per 100 Catties.
1887	18.890 Yen.
1888	25.030 "
1889	30.500 "
1890	44.080 "
1891	37.070 "
1892	42.060 "
1893	52.850 "
1894	38.910 "
1895 (early part of the year)	57.870 "

The expense involved in the manufacture of 100 catties of crude camphor may be roughly estimated from quotations, given in vol. 22 of the proceedings of the Dendrogical Society of Japan. They show the results obtained by an expert of Ehime Prefecture in 1889:—

Expenses involved in manufacturing 100 catties of crude camphor, workman's wages, &c.	5.00
Fuel	1.30
Tub	.25
Paper and Rope	.015
Freight (from Uwajima to Kobe)	.245
Miscellaneous expenses	.020
	6.830

To obtain 100 catties of crude camphor about 230 *kwamme* (1,917lb. approximately) of superior chips are expended, and as 12 cubic feet of the tree cost, on the average, 6 *yen*, we may conclude that that about 15 *yen* is consumed in extracting 100 catties of crude camphor. At the present market rate, therefore, the manufacture of camphor must prove a very lucrative business, since there is a margin of some 20 *yen* of per 100 catties.

Of the camphor exported, the greater part goes to America, Hongkong, England, and Germany, in all of which places it is used for various purposes, as for the manufacture of cellulose or "artificial ivory" for cubical gun-powder, and also for medical and certain domestic purpose. That exported to Hongkong is there refined and again shipped abroad.

It is impossible to give even an approximate estimate of the supply of raw material remaining in Japan proper, the principal sources of present supply being roots of trees cut down decades ago, and timber illicitly felled in State forests. Reckless cutting of trees has reduced this profitable business to a sad condition. Under the circumstances, it is not possible to obtain any trustworthy figures relating to the yearly yield of crude camphor in the various districts. The only datum we have is that the quantity of camphor exported stands to that used at home in the ratio of 9 to 1. Of the total quantity exported, seven parts out of every ten are manufactured direct from the trees, while the remaining three are obtained by distilling and freezing the oil.

Such being the present condition of the camphor industry in the interior, the Japanese are paying keen attention to the problem of Formosa camphor. But owing to the still unsettled state of affairs in the island, no definite information has yet been obtained. There is, however, a vague belief that the supply must be immense. What is thus far known about Formosan camphor is founded chiefly on mere rumour and can not be considered trustworthy. The only attempt thus far recorded to cultivate the camphor tree in the West was made by the United States Agricultural Board. Some 15 years ago it obtained seeds from Japan and planted them in the State of Florida. It is said that the young trees are growing very vigorously. By and by, therefore, America may prove a formidable rival of Japan. To complete this sketch, we may give a brief account of the Sumitomo Camphor Refinery in Kobe, the only establishment in Japan that produces the refined camphor comparable with the best brands manufactured in the West. It was only from 1892 that purified camphor came to be produced in Japan, and the new departure was due solely to the enterprise of Mr. Takagi, Chief Expert of the Sumitomo Refinery. Mr. Takagi is a graduate of the Sapporo Agricultural College. Six years ago, he and Mr. Teshima, now Director of the Technical College, were sent abroad by Mr. Sumitomo, a wealthy merchant of Osaka, to inspect mining operations and, at the same time, the refining of camphor in Europe and America. The trip proved entirely fruitless, with reference to the camphor refining business, for, wherever the travellers went they found, to their great disappointment, the doors of the refineries shut to them, the "imitative instinct of the Japanese being already regarded with dislike and distrust in the West. Thus, without practical initiation into the art or chemical works to guide him, Mr. Takagi was obliged to undertake, in 1890, the management of the Refinery, established only a few months previously. He encountered many difficulties during a period of two years, but aided by his extensive chemical knowledge, he at last succeeded in elaborating a process of refining, and obtained a patent in 1892. The news that a Japanese expert had discovered the process of refining camphor was received with considerable alarm in Europe and America, for it was apprehended, and not without reason, that the export of crude camphor from Japan would cease, and that the Western market would be monopolized by the cheap Japanese production. The alarm was soon converted into a serious practical problem when, shortly afterwards, a Hamburg refinery, one of the largest in Europe, sent for Japanese samples and then for a considerable quantity of camphor refined at the Sumitomo works, the samples have demonstrated that the Japanese refined camphor was not interior in quality to the best European, and was about 2 per cent. cheaper. The matter was taken notice of in the London *Chemist and Druggists Journal*, and an editorial very complimentary to the discovery appeared. This served the excellent purpose of spreading the reputation of the Sumitomo camphor throughout Europe and America, and a large number of orders were quickly received from various places in the West. The druggists and refiners of Europe, fully convinced of the gravity of the situation, concerted measures to compete with the new rival, and at last concluded to boycott it, which they did for about a year, but before the minimum price at which the Japanese were ready to sell had been reached, the league broke down. A serious obstacle to the expansion of the Japanese refined camphor industry is the cost of transportation. One of two things must happen, either steps must be taken to have the freight cheapened, or the export of crude camphor from Japan and Formosa must be stopped. One or the other or even both are extremely likely to happen, and some day or other refined camphor from Japan may be found in sole possession of the Western camphor market.

A circular issued by the English agent of a certain German refiner last spring alleged that the camphor produced at that refinery was better in quality and cheaper than the Japanese article, the latter being thus taken as a standard of comparison. The Sumitomo camphor obtained meritorious recognition at the World's Fair in Chicago and at the late Domestic Exhibition. The Refinery exported about 300,000 catties last year, but the quantity cannot be increased this year owing to insufficiency in the supply of raw material, though the demand is constantly increasing. Applications to be appointed agents have been received from almost every country in Europe, but a refusal had to be made in each case, owing to the insufficiency of the quantity produced. The export is now in the hands of two or three resident merchants of Kobe.

No. 132

Consulate-General, U. S. A.,

Shanghai, 20 Nov, 1895.

Mr Jernigan

To the **Department of State.**

SUBJECT:

Acknowledg Receipt of Despatches

No. 52

ABSTRACT OF CONTENTS:

132

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 20 Nov., 1895.

Hon. Edwin F. Uhl,

Ass't Sec'ty of State,

Washington, D.C,

S I R:

I have the honor to acknowledge the receipt of your communication No. 52, of the 16 Oct;, enclosing a copy of a letter from Hon. Thomas Holcomb, Auditor for the State and other Departments, dated the 10th Oct, in which he states that he is of the opinion that I am correct in my intepretation of the law regarding quadruplicate invoices under the circumstances described in my letter No. 96, of Aug. 27, 1895; and you instruct me to charge for such invoices.

I am, Sir,

Your obedient servant,

M. Jernigan

Consul General.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, [illegible]

No. [illegible].

Asst. Sec'y of State,

Washington, D.C.

Sir:

I have the honor to acknowledge
the receipt of your communication [illegible] of the 10th
enclosing a copy of a letter from Lt.Comdr. Alonzo Pontier
for the State and other Departments, dated the 30th Oct., in which
he states that he is of the opinion that I am covered in my
[illegible] of the recurring quarterly invoices
under the circumstances described in my letter [illegible] of Aug.
27, 1928, and requesting me to charge for such invoices.

I am, Sir,

Your obedient servant,

[signature]

Consul General.

2

Cons. Bureau
Copy to Navy.

No. 133

Consulate-General, U. S. A.,

20 Nov, 1895.

Copy to Navy, Dec. 20, '95

Mr Denigan

To the Department of State.

SUBJECT:

Regarding the "Charleston"

ABSTRACT OF CONTENTS:

2/33

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai 20 Nov.,1895.

Honorable Edwin F.Uhl,

Assistant Secretary of State,

Washington,D.C.

S I R:

The U.S.S."Charleston" has been at Nagasaki,Japan,for six months,disabled by breaking one of her pistons. The news now comes here that the other piston is defective,and that four months more will be required to make necessary repairs.

The "Charleston" was built at San Francisco,and the inability of the builder to furnish the needed machinery for so long a time is being used by European ship-builders very much to the detriment of our own ship-builders.

The case of the "Charleston" is cited as ocular proof that should Japan or China place their orders for building war-vessels in the United States the delay in effecting needed repairs might prove quite serious should the demand for the service of the ship be pressing.

I submit that the subject might be called to the attention of the proper authority with advantage to the interest of our ship builders/.

I am,Sir,

Your obedient servant,

W. Jernigan

Consul General.

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No 134.

Ans + Inst Sent Dec 31

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 25th Nov., 1895.

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

S I R:

At the request of Consul Jones, of Chinkiang, I enclose his renewed bond.

The delay in forwarding the bond was caused by the absence of the Consul on leave.

I have the honor to be,

S I R,

Your obedient servant,

R. Jernigan

Consul General.

Enclosure:

1.--Bond, as stated.

No. 135.

Mr Emmons
Mr Dickinson file

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,
Shanghai, 27th Nov., 1895.

Seen by Secy - Jan 2

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

SIR:

I have the honor to enclose the first published copy I have seen of the Convention between China and Japan for the retrocession of the Liaotung.

I have the honor to be,

SIR,

Your obedient servant,

W. Jernigan
Consul General.

Enclosure:

1.---Copy of article mentioned above.

Given to Press.
Prior to Jan. 1st.

No 135.

Consulate General U.S.A.
Shanghai China
November 27th 1895.

Hon. Jernigan
To the Department of State.

Subject

Enclosing copy of a newspaper article of the Correction between China & Japan for the retrocession of the Liaotung.

CONVENTION BETWEEN CHINA AND JAPAN FOR THE RETROCESSION OF LIAOTUNG.

SIGNED AT PEKING, 8TH NOVEMBER, 1895.

His Majesty the Emperor of China and His Majesty the Emperor of Japan, desiring to conclude a Convention for the retrocession by Japan of all of the southern portion of the province of Fengtien to the Sovereignty of China, have for that purpose named as Their Plenipotentiaries, that is to say:—

His Majesty the Emperor of China, Li Hung-chang, Minister Plenipotentiary, Senior Tutor of the Heir Apparent, Senior Grand Secretary of State and Earl of the First Rank,

and His Majesty the Emperor of Japan, Baron Hayashi Tadasu, Shoshü Grand Cross of the Imperial Order of the Sacred Treasure, Grand Officer of the Imperial Order of the Rising Sun, Minister Plenipotentiary and Envoy Extraordinary;

who after having communicated to each other their Full Powers, which were found to be in good and proper form, have agreed upon the following Articles:—

ARTICLE I.

Japan retrocedes to China in perpetuity and full sovereignty the southern portion of the province of Fêngtien, which was ceded to Japan under Article II of the Treaty of Shimonoseki on the 23rd day of the 3rd month of the 21st year of Kuang Hsü, corresponding to the 17th day of the 4th month of the 28th year of Meiji, together with all fortifications arsenals and public property thereon at the time the retroceded territory is completely evacuated by the Japanese forces in accordance with the provisions of Article III of this Convention that is to say, the southern portion of the province of Fêngtien from the mouth of the River Yalu to the mouth of the River Anping, thence to Fenghuangch'êng, thence to Haich'êng and thence to Ying-k'ou; also all cities and towns to the south of this boundary and all islands appertaining or belonging to the province of Fêngtien situated in the eastern portion of the Bay of Liaotung and in the northern part of the Yellow Sea.

Article III of the said Treaty of Shimonoseki is in consequence suppressed, as are also the provisions in the same Treaty with reference to the conclusion of a Convention to regulate frontier intercourse and trade.

ARTICLE II.

As compensation for the retrocession of the southern portion of the province of Fengtien, the Chinese Government engage to pay to the Japanese Government 30,000,000 Kuping Taels on or before the 30th day of the 9th month of the 21st year of Kuang Hsü, corresponding to the 16th day of the 11th month of the 28th year of Meiji (16th November, 1895).

ARTICLE III.

Within three months from the day on which China shall have paid to Japan the compensatory indemnity of 30,000,000 Kuping Taels provided for in Article II of this Convention, the retroceded territory shall be completely evacuated by the Japanese forces.

ARTICLE IV.

China engages not to punish in any manner nor to allow to be punished those Chinese subjects who have in any manner been compromised in connection with the occupation by the Japanese forces of the retroceded territory.

ARTICLE V.

The present Convention is signed in duplicate in the Chinese, Japanese and English languages. All these texts have the same meaning and intention, but in case of any differences of intrpretation between the Chinese and Japanese texts, such differences shall be decided by reference to the English text.

ARTICLE VI.

The present Convention shall be ratified by His Majesty the Emperor of China and His Majesty the Emperor of Japan and the ratifications thereof shall be exchanged at Peking within twenty-one days from the present date.

In witness whereof the respective Plenipotentiaries have signed the same and have affixed thereto the seals of their arms.

Done at Peking this 22nd day of the 9th month of the 21st year of Kuang Hsü, corresponding to the 8th day of the 11th month of the 28th year of Meiji (8th November, 1895).

LI HUNG-CHANG (L. S.)

Minister Plenipotentiary, Senior Tutor of the Heir Apparent, Senior Grand Secretary of State and Earl of the First Rank.

Baron HAYASHI TADASU (L.S.).

Shoshü Grand Cross of the Imperial Order of the Sacred Treasure, Grand Officer of the Imperial Order of the Rising Sun, Minister Plenipotentiary and Envoy Extraordinary.

PROTOCOL.

In view of the insufficiency of time to effect a formal exchange of the ratifications of the convention between China and Japan signed this day respecting the retrocession of the Peninsula of Fêngtien, before the date named in the said Convention for certain stipulations thereof to take effect, the Government of His Majesty the Emperor of China and the Government of His Majesty the Emperor of Japan, in order to prevent the possibility of delay in putting into execution the several provisions of the said convention have, through their respective Plenipotentiaries, agreed upon the following stipulation:—

The Governments of China and Japan shall within the period of five days after the date of this Protocol, announce to each other through the undersigned, their respective Plenipotentiaries, that the said Convention has received the approval of His Majesty the Emperor of China and His Majesty the Emperor of Japan respectively, and thereupon the said Convention in all its parts, shall come into operation as fully and effectually as if the ratifications thereof had actually been exchanged.

In witness whereof the respective Plenipotentiaries have signed the same and have affixed thereto the seals of their arms.

Done at Peking this 22nd day of the 9th month of the 21st year of Kuang Hsü, corresponding to the 8th day of the 11th month of the 28th year of Meiji. (8th November, 1895.)—*Peking and Tientsin Times.*

Report referred to already printed (Jan 1 No.)
His supplementary despatch filed for ref.

No 136.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 17 December, 1895.

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Honorable Edwin F, Uhl,

Assistant Secretary of State,

Washington, D.C.

Acknd June 27. 96

S I R:--

Should the Department publish my report on Ocean Routes to Shanghai and Trade of China, I would be glad to have the enclosed compilation from the Customs Gazette, for July and September, 1895, published as a note to it.

It shows the drift of China trade of a later date.

I have the honor to be,

S I R,

Your obedient servant,

W. [illegible]

Consul General.

Enclosure:

One, from the Customs Gazette, as above mentioned.

Consular Court U.S.A.
Shanghai, Dec 14th 1895.

Mr. Lewis,
Secretary of Legation
Peking

Sir,

Ocean mails to
Shanghai, & mails of
China
"Montana" Agents.

THE *CUSTOMS GAZETTE*, JULY SEPTEMBER, 1895.—I.

THE statistics of the revenue collected at the Chinese treaty ports during the third quarter of 1895 are very satisfactory when it is seen that though the two ports in Formosa are altogether, and Newchwang was temporarily, lost this year, the sum collected was actually larger than in any recent year except 1891. The comparative figures for the past three years are as follows:—

Report of Dues and Duties, July-September Quarter, 1895: Chinese Treaty Ports.

	1895. Hk. Tls.	1894. Hk. Tls.	1893. Hk. Tls.
Newchwang.	.....	139,211	128,984
Tientsin ...	220,636	185,768	189,347
Chefoo	114,368	86,445	102,294
Chungking..	64,532	64,643	50 757
Ichang	52,497	62,764	14,172
Hankow ...	833,265	815,916	776,463
Kiukiang ...	275,905	253,588	252,327
Wuhu	98,563	127,219	117,112
Chinkiang...	253,746	175,698	163,868
Shanghai ...1	,977,951	1,584,393	1,462,674
Ningpo	491,291	439,477	468,979
Wênchow ...	18,416	12,038	11 314
Foochow ...	557,419	678,943	788,183
Tamsui	.....	247,161	222,260
Tainan	.....	60,784	74,037
Amoy	193,931	185,135	237,383
Swatow	316,048	313,846	321,059
Canton	482,602	492,904	528,730
Kiungchow .	34 265	36,132	21,397
Pakhoi	46,306	48,221	51,914
Total 6	,031,741	6,010,286	5,983,254

The total for the same quarter was in 1892 Hk. Tls. 5,941,543, and in 1891 Hk. Tls. 6,305,139, and in 1890 Hk. Tls. 5,841,591. In 1885 it was Hk. Tls. 4,750,233.

The following is our usual comparative table showing the receipts under the various headings under which the total revenue is divided:—

	1895. Hk. Tls.	1894. Hk. Tls.	1893. Hk. Tls.
Import Duty.	1,332,851	1,107,969	887,250
Export „	2,726 954	2,774,979	2,888,489
Coast Trade Duty.....	189.921	213,188	223.204
Opium Duty.	469.598	528,498	496,881
Tonnage Dues	146 073	117,751	106 721
Transit Dues.	136,034	109.665	110.601
Opium Likin	1,030,310	1,158.236	1,270,108
Total...	6,031,741	6,010,286	5,983,254

We see from the former table that of the seventeen treaty ports, ten, namely Tientsin, Chefoo, Hankow, Kiukiang, Chinkiang, Shanghai, Ningpo, Wênchow, Amoy, and Swatow, did better this year than last, while seven, namely, Chungking, Ichang, Wuhu, Foochow, and the three southern ports, Canton, Kiungchow, and Pakhoi, showed a decline. Although Ichang was in the latter category this year, it still showed a very large advance on 1893. The latter table shows a very considerable increase in import duty over the collection in 1894, that year having shown a very large advance on 1893; the only two other heads under which there was an advance were tonnage dues and transit dues, opium duty and likin having given a very considerable decline; it may be noted that of this decline, native opium is responsible for Tls. 11,000. Tonnage dues continue to advance, as they must do with the constant increase in the size of the steamers trading between China and Europe.

We cannot help noting with satisfaction the large increase in the collection at Shanghai. While the total revenue collected has only risen, as we have shown, from Tls. 4,750,000 in 1887 to above Tls. 6,000,000 in 1895, the revenue collected at Shanghai has risen in the same period from Tls. 1,030,000 to Tls. 1,978,000; in fact, has nearly doubled. The increase this year at Shanghai, amounting in all to nearly Tls. 400,000, or more than 25 per cent, was under every head, as the followlng comparative figures show:—

	1895. Hk. Tls.	1894. Hk. Tls.
Import Duty	986.826	786.958
Export Duty	385.257	240 028
Coast Trade Duty	58.131	38.129
Opium Duty	115.525	113.808
Tonnage Dues.....	95.074	78.453
Transit Dues	29.161	23.679
Opium Likin	307.977	303.338
Total.....1	,977,951	1,584,393

A period of three months in which every head of revenue shows an advance is almost unique.

When we look at the detailed returns, we find that under Tonnage, there were 887 vessels of 949,383 tons entered, and 889 vessels of 967,968 tons cleared, against 763 of 826,960 tons, and 758 of 827,926 tons, respectively, in 1894. It is true that the war with Japan was being more or less actively prosecuted last year, but it really affected Shanghai very little. The import of foreign and native opium amounted to Pls. 8,507 and Pls. 1,406, respectively, against Pls. 8,591 and Pls. 1,121, respectively, in 1894. In cotton goods there was a general advance this year, the main exceptions being white shirtings, and dyed shirtings, short cuts; the advance being very marked in T-cloths, English sheetings, and handkerchiefs. The comparative figures of cotton yarn were as follows, in piculs:—

	1895.	1894.	1893.
English, ...	5.775	3,681	7,36
Indian.....	165,870	184,166	83,976
Japanese.....	13,080	*nil.*	*nil.*

There was an improvement in woollens, with the exception of long ells. In metals, there was a slight decline in railroad and bar iron, and a decline in lead, with an advance in tin in bars, tin plates, and steel. In foreign sundries imported, there was a very considerable decline in kerosene oil; in native sundries there was a marked advance in silk and green tea. In exports, there was a considerable increase in raw cotton, silk, goatskins, tea, and wheat; with a decline in feathers, straw and rush hats, tobacco, and sheep's wool. Of transit passes, 5,577 were issued and 260 surrendered, against 7,019 and 238, respectively, in 1894. Finally, we note that all the cargo in the Bonded Warehouses on the 30th of September last was 13,750 pcs. of grey shirtings, 900 pcs. of cotton Italians, 620 pcs. of woollen lastings, dyes to the value of Tls. 2,000, and 1,628,770 gallons of Russian oil in bulk.

File for ref.

Mr Eaton
Asst
Jany 29

No 137.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

INDEXED REC'D. JAN 17 1896 DEPT. OF STATE

Shanghai, 18 Dec., 1895.

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

S I R:

As reference is made in my report on Ocean Routes to Shanghai and the Trade of China to the trade of Japan, the enclosed paper on the resources of Japan may be interesting in connection with the report. It is the most complete summary I have seen.

I have the honor to be,

S I R,

Your obedient servant,

W. Jerrendan

Consul General.

Enclosure:

One, as above mentioned.

Mr. Seward

To the Department of State

different clans, the liberty of fixing or of changing one's abode has been recognised, and every Japanese subject is now free to fix his residence, either permanently or temporarily, to hire dwelling-places, or to engage in business, at any place within the boundaries of the territory of the Empire." Assuming, even, that a law is duly enacted depriving Japan's Chinese subjects in Formosa of the privileges enjoyed constitutionally by all the rest of her subjects, and thus excluding them from Japan proper, are we justified in believing that the development of Formosa can proceed satisfactorily with a mixed population of Chinese and Japanese, the former greatly preponderating? One must be very sanguine to entertain any such hope. The Chinese have never coalesced with any people among whom they settled. They have invariably remained a race apart, segregating themselves in their own settlements and preserving their own costume, habits of life, and fashions of intercourse. They will not coalesce with the Japanese in Formosa. It is contrary to all experience to expect that the two peoples will combine harmoniously in developing the island's resources. Moreover, the fact that much of the most productive land is already held, and that a major part of the best industries is already monopolized, by the Chinese, will deter Japanese of enterprise and capital from seeking to employ the former or invest the latter in the island. If Formosa is to become what the world now expects it to become, and what Japan is bound to make it, not merely for the sake of the place itself but also for the sake of her own reputation, the Chinese population ought to be eliminated as far as possible. The present is the time for taking such a step. Every month that it is deferred adds to the difficulty. We can see nothing to prevent the Japanese Authorities from having the property of the Chinese duly assessed, and buying them out. The fifth Article of the Shimonoseki Treaty says :—

> The inhabitants of the territories ceded to Japan who wish to take up their residence outside the ceded districts, shall be at liberty to sell the real property and retire. For that purpose a period of two years from the date of the exchange of the ratifications of the present Act, shall be granted. At the expiration of that period, those of the inhabitants who shall not have left such territories, shall be deemed to be Japanese subjects.

This article does not secure any right of perpetual residence to the Chinese. It merely provides that Chinese hitherto resident in Formosa shall have liberty to sell their property and remove to their own country within the space of two years; and that persons failing to avail themselves of that liberty, should not be entitled to claim any status other than such as the Japanese Government may choose to confer on them. Hence, if at the expiration of two years, a large number of Chinese be found remaining in Formosa, it will be competent for Japan to place them on the same footing as ordinary Chinese subjects visiting her dominions under the provisions of the treaty of friendship and commerce now in process of negotiation. In other words, she may order their removal into settlements, and exclude them altogether from access to the interior of the island. We entertain no doubt whatever that two years' experience of the task of governing a mixed population of such incongruous races, and two years of the perpetual complications that must inevitably attend the development of the island under such circumstances, will drive the Japanese Government to take that course when the time comes. But it will then be a course involving much hardship, and certain to bring odium upon the Japanese. It appears to us, therefore, that the most magnanimous and prudent plan would be to assess the property of the Chinese residents at once; to proclaim that any one desirous of selling out at the assessed price, will find a purchaser in the Japanese Government, and to announce, boldly and definitely, that all persons declining to avail themselves of this privilege within two years, will be placed on the footing occupied by Chinese subjects generally within the dominions of Japan. There need be no difficulty in finding money for such a purpose. The thirty million taels just paid by China for the retrocession of Liaotung, could scarcely be better employed. As to the nature of the investment from a national point of view, little doubt can be entertained.

THE RESOURCES OF JAPAN.

A RECENT number of the *Kokumin-no-Tomo* contains an interesting and elaborate article on the above subject. It is well worth careful attention, on account of the valuable statistics it contains with reference to the remarkable development now taking place in every department of the national resources. Promising as is Japan's career as a military power, her growth as a peaceful power, says our contemporary, is still more promising. That she has been able to send out altogether nearly 300,000 troops, and spend over 150 million *yen*, without the loan of a single *sen* from abroad, without the slightest depreciation of her convertible notes, and without any disturbance to the commerce and industries of the land, proves at once the soundness of her public finances and the extent of the country's resources.

The writer then proceeds to review, under separate headings, the progress made by Japan in the fields of commerce and industry. He begins with the growth of population, for, although population is not in itself wealth, it is one of the factors essential to the production of wealth, and its increase has, in this respect, important bearings upon the resources of a country. The increase of population during the twenty-two years from 1872 (the date of the first official census), to 1893 inclusive, is shown in the following table :—

Year.	Population.	Rate of increase over the preceding year.
1872	33,110,825	%
1876	34,338,367	3·7
1880	35,929,023	4·6
1884	37,451,727	4·2
1887	39,069,691	4·3
1891	40,718,677	4·2
1893	41,388,313	1·6

Thus the increase during this twenty-two year period was more than twenty-five per cent. During the same period, the increase of population in England was a little over twenty per cent., while in France, during the twenty years from 1872 to 1891, it was barely over six per cent.

Japan being in a state of transition from an agricultural to a manufacturing country, it would not be strange were the cultivation of land left comparatively neglected. But in point of fact, considerable improvements have been effected in this field also. The following figures relate to the area of land under rice, barley, and wheat in the respective years named :—

Year.	Area under rice. Cho.[1]	Percentage of increase.	Area under barley and wheat. Cho.	Percentage of increase.
1880	2,563,460	—	1,432,344	—
1884	2,605,720	1.6	1,485,779	3.7
1887	2,637,069	1.2	1,591,374	7.1
1891	2,757,132	4 5	1,713,655	7.8
1893	2,769.478	0.4	1,744,010	1.7

During these fourteen years the area of land under rice increased 8.4 per cent. and that under barley and wheat 21.7 per cent. In order to estimate properly the significance of such increases, it must be borne in mind that land formerly devoted to the cultivation of these cereals has in many districts been converted into mulberry plantations and tea gardens, so that the work of reclamation has really been going on at a much more rapid rate than would appear from the above figures.

The writer in the *Kokumin* then refers to the rise in the value of land as a sign of its improved productive capacity. The statistics quoted by him on this topic are too incomplete to be of any practical value, for he only mentions two isolated cases, namely, in Chiisagata Gun in the Province of Shinano, where a *tan* (about ¼ of an acre) of land for the cultivation of mulberry trees, quoted at 30 *yen* in 1885, rose to 60 *yen* in 1895; and in Omuta in the Province of Chikugo, where a *tan* of building ground, valued at 40 *yen* in 1885, rose in the succeeding ten years to 160 *yen*.

The following statistics show the increase in the production of some of the principal agricultural products :—

RICE.

Year.	Quantity Produced. Koku.[2]	Rate of Increase or Decrease.
1880	31,359,326	%
1884	26,349,833	— 18.5
1887	39,999,199	+ 51.8
1891	38.123,548	— 4.8
1894	39,372,254	+ 3·3

[1] A *cho* is equal to about 2½ acres.
[2] *Koku* 5.31 bushels. *Kwamme*=8¼ lbs. Av.

BARLEY AND WHEAT.

Year.	Quantity Produced. Koku.	Rate of Increase. %
1880	12,503,063	
1884	13,105,841	+ 4.8
1887	15,823,144	+ 20.4
1891	18,078,373	+ 14.0
1894	19,812,411	+ 9.5

SWEET POTATOES.

Year.	Quantity Produced. Kwamme.	Rate of Increase. %
1880	308,376,789	
1884	362,086,828	+ 17.4
1887	561,146,176	+ 55.0
1893	567,360,069	+ 1.1

The rate of increase in the production of rice during the fifteen years here tabulated was 25.5 per cent., while that of barley and wheat during the same period was 58.5 per cent. Sweet potatoes increased as much as 84.2 per cent. These figures show that the increase in the production of the staple articles of national food keeps pace with the development of the population.

As to the production of silk cocoons and tea, the following table shows the rate of increase during the fifteen years ending 1894:—

COCOONS.

Year.	Quantity Produced. Koku.	Rate of increase per cent.
1880	597,932	—
1883	771,239	28.9
1887	1,219,060	58.1
1891	1,580,240	29 0
1894	1,800,747	13 9

TEA.

Year.	Quantity Produced. Kwamme.	Rate of increase. per cent.
1880	3,206,361	—
1883	4,787,483	49.3
1887	7,011,221	46.4
1891	7,096,398	1.2
1894	7,690,365	8.3

Concerning the figures relating to 1894, it should be noted that they do not include those for three Prefectures from which reports were not received. In fifteen years, the production of cocoons increased by 300.2 per cent., and that of tea by 240.3 per cent.

Passing to manufactures, the principal occupation of the nation in future, the writer gives the following figures as to the number of manufactories and the quantity of steam and water power employed for manufacturing purposes:—

Year.	No. of Manufactories.	Steam. Horse-power.	Water. Horse-power.
1883	84	1,383	365
1892	1,203	28,500	4,772
1893	1,163	31,165	4,142

Year.	Manufactories. per cent.	Steam. per cent.	Water. per cent.
	Rate of Increase.		
1883	—	—	—
1892	+132.1	+1,946.0	+1,207.4
1893	3.4	— 9.3	— 15.2

Thus, during eleven years, the number of factories increased by 1,384.5 per cent. the steam power by 2,226 per cent. and the water power by 2,134.8 per cent. As for the increase since 1893, the writer thinks that it must have been enormous. It should be noticed that the above figures relate only to private undertakings, whereas some important factories are under the control of the Government. Of the development of factories since 1893, the most remarkable feature, perhaps, has been a growing tendency to make use of water power. One example may be cited: a water mill in the city of Kyoto is producing a motor force of 2,000 horse-power. The tendency to utilize water power promises to increase at a still more rapid rate in the next few years, there being at present a large number of projects for pressing into the service of industry the principal water-falls, lakes, and rivers.

How fast Japan is being converted into a manufacturing country may be seen from the increasing importation of machinery of all sorts—machinery for mining purposes, for paper mills, for printing, for sawing, for tailoring, for spinning, for weaving, and so forth. The amount of money paid by Japan for imported electro-motor apparatus alone during the five years ending 1894, totalled 1,160,000 *yen*.

The progress of the cotton spinning industry has been very remarkable. The increase of spindles has been as follows:—

Year.	Spindles.	Rate of increase per cent.
1886	65,420	—
1887	70,220	7.3
1891	353,980	404 4
1894	663,749	87.5

Thus the rate of increase during nine years has been 1,014.6 per cent. It is expected that there will be an increase of about 100,000 spindles during the present year.

The growth of the production of fabrics of all sorts and cotton yarns has been as follows:—

Year.	Fabrics. Tan.*	Yarns. Kwamme.
1883	2,331,860	78,793
1885	8,275,436	—
1887	36,377,394	1,165,073
1891	48,209,974	7,679,938
1893	56,319,059	—
1894	—	14,365,688

That is to say, an increase of 2,415 per cent. in eleven years in the case of woven stuffs, and of 18,230 per cent. in the case of cotton yarns.

The writer next considers the rapid progress made in the manufacture of porcelain, *shippo*, glass ware, umbrellas, matches, and mats. But the figures quoted serve indirectly only for the purpose of illustration, since they relate to the silver value of these articles exported. Statistics on this subject would have been more properly considered under the heading of trade. Somewhat out of place as they are, however, we reproduce them here:—

Year.	Porcelain. Yen.	Shippo Yen.	Glass. Yen.	Umbrellas. Yen.	Matches. Yen.	Mats. Yen.
1885	655,069	23,472	4,700	1,768	188,402	933
1887	1,321,901	39,497	28,872	26,856	1,584,306	36,898
1891	1,480,412	59,225	203,040	161,504	8,009,932	658,223
1894	1,484,853	95,803	258,057	746,068	13,843,008	1,965,493

Iron being one of the principal materials of manufacture, the following figures showing the import of pig iron tell an interesting tale:—

Year.	Quantity Cattles.	Rate of increase. %
1872	50,781	—
1876	1,106,609	2,178.3
1880	8,828,834	795.3
1884	9,772,065	10.7
1887	10,890,868	11.5
1891	20,317,914	86.5
1894	61,081,416	200.5

The quantity imported thus increased by 12,023.9 per cent. during twenty-three years.

As to companies and manufactories, their total number at the end of 1893 was 4,152. The dates of their establishment are as follow:—

Date of establishment.	No. of Companies and Manufactories.
1868—1870	44
1871—1875	161
1876—1880	339
1881—1885	689
1886—1890	1,465
1891—1893	1,454
Total	4,152

With the growth of industries, the cost of labour has gradually risen. By way of illustration, the writer quotes the following statistics showing the wages of female hands employed in cotton mills:—

Year.	Average wage per diem. sen.	Rate of Increase per cent.
1889	8.1	
1890	8.2	1.2
1891	8.3	3.4
1892	8.9	7.2
1893	9.4	5.6
1894	10.2	8.5
1895	10.9	6.7

The rate of increase in seven years has been 37 per cent.

The development of foreign trade next engages the attention of the writer in the *Kokumin*. The following table shows exports and imports since 1872:—

Year.	Exports. Yen.	Imports. Yen.	Total. Yen.	Rate of increase %
1872	17,026,647	26,174,814	43,201,462	—
1876	27,711,527	23,964,678	51,676,206	19.6
1880	28,396,386	36,626,601	65,021,987	25.8
1884	33,871,465	29,672,646	63,544,112	d. 2.3
1887	52,407,681	44,304,251	96,711,932	52.1
1891	79,527,272	62,927,268	142,454,540	47.3
1894	113,246,086	117,481,955	230,728,041	61.9

During twenty-three years, the increase of exports has been 666.1 per cent., that of imports, 448.4 per cent., and that of the total trade, 534 per cent. A noteworthy feature of the foreign trade during recent years, is the gradual increase in the export of manufactured articles. During the five years from 1890 to 1894 inclusive, the export of manufactured articles nearly trebled, and that of half manufactured articles doubled, whereas the export of raw material made but slight increase. On the other hand, the imports of raw material for manufacturing purposes is increasing rapidly.

Another interesting fact about the foreign commerce of the country is a rapid increase in the volume of transactions with Asiatic States, the South Sea Islands, Hawaii, and Australia, as may be seen from the following figures:—

Year.	Asia, South Sea Islands, &c. Yen.	Australia. Yen.
1873	4,786,006	—
1876	4,764,053	—
1880	6,550,603	179,645
1884	7,590,199	246,020
1887	12,183,487	535,082
1891	21,292,883	787,101
1894	32,307,556	1,098,065

The volume of trade with Asia, Hawaii, and the South Sea Islands thus increased during twenty-two years by 675 per cent., and that with Australia during fifteen years by 610 per cent. The increase of Japan's commerce with these countries certainly deserves the attention called to it by the *Kokumin*, since it is especially indicative of the success of Japan's competition with Occidental nations.

The writer next reviews the development made by Japan in facilities of trans-

* 1 *Tan*=10¼ yards.

port and communications. He recalls the serious difficulties experienced by the country in conveying a small expeditionary army to Formosa in 1874, and in striking contrast adduces the fact that during the late war an army nearly thirty times greater than that sent to Formosa was carried and maintained over sea. The following table shows the increase of steam shipping :—

Year.	No. of Steamships.	Tonnage.
1872	96	23,364
1876	159	40,248
1880	210	41,215
1883	390	45,350
1888	524	81,066
1891	607	95,588
1893	680	110,205
1894	461	163,996
1895	517	321,522

The rate of increase during twenty-four years has been 538.5 per cent. in the number, and 1,376.1 per cent. in the tonnage, of steamships. The writer hopes that the day is not far distant when he shall have the pleasure of making a tour round the world in steamers owned and commanded by his countrymen.

Railways have also developed rapidly, as shown in the following table :—

Year.	Mileage open for traffic.
1872	18
1876	64
1880	98
1884	249
1887	593
1891	1,712
1894	2,094
1895 (beginning of October)	2,220

The rate of increase was 12,333.3 per cent. in twenty-four years, and 375.5 per cent. in the last nine years. There being now a railway mania, not many years will elapse before the country is covered from end to end with a network of iron roads.

The following table shows the increase of postal matter :—

Year.	Postal matter, Letters, etc.	Parcels.
1872	2,510,656	—
1876	36,106,866	—
1880	74,590,182	—
1883	107,902,029	—
1888	164,594,650	—
1891	249,199,154	—
1894	370,314,072	1,808,707

An increase of 14,753.5 per cent. during twenty-three years is not a bad record.

The following figures relate to the telegraphic service :—

Year.	No. of Offices.	Length of wires, etc.	Messages.
1872	29	34	80,639
1876	100	2,214	631,825
1880	195	4,484	2,128,201
1883	312	5,916	2,418,301
1888	250	7,581	2,885,513
1891	435	9,113	4,674,341
1894	719	11,178	7,852,738

Thus, during twenty-three years, the rate of increase was 2,479.3 per cent. in the number of offices, 32,900 per cent. in the length of wires, and 9,738 per cent. in the number of messages transmitted.

The telephone service was but lately introduced and is still in a state of infancy. Yet statistics show that it is coming into more and more extended use :—

Year.	No. of registered users of Telephones.	Length of Wires.
1890	225	258
1894	2,748	1,831

Turning to the condition of the economical world, the writer first gives us the following table, showing the capital and reserve funds of the various banks :—

Year.	Aggregate capital of Bank of Japan, Specie Bank, and National Banks. Yen.	Reserves of do. Yen.	Capital of private banks. Yen.	Reserves of do. Yen.
1884	52,536,100	3,710,500	19,421,600	—
1887	60,338,851	12,143,376	18,896,061	—
1891	63,201,100	20,896,971	19,796,820	5,459,802
1894	73,166,100	27,432,961	33,895,550	3,455,644

It thus appears that during the past eleven years, the aggregate capital of the Bank of Japan, the Specie Bank, and the National Banks increased by 39.3 per cent. and the reserves of the same by 742.1 per cent. In the case of private banks, the capital increased during the same period by 74.7 per cent. but the reserves decreased considerably, which latter fact is accounted for by the conversion of the reserves into capital. At the end of the present year, the capital of the private banks, including the savings banks, had increased to 58,760,000 *yen*.

Not only has the capital of banks increased, but the method of monetary transactions has gained greatly in smoothness and convenience, as may be seen from the following statistics relating to bills exchanged at the Tokyo Clearing House (*Tegata Kokansho*):—

Year.	No. of bills.	Value—Yen.
1888	25,289	12,281,948
1891	52,527	67,595,423
1894	172,189	185,597,497

The volume of currency is not necessarily an indication of the wealth of a country. But when the volume increases, as it is doing in this country, in spite of, and simultaneously with, a constant improvement in the credit system, the fact must be taken as a proof of the growth of business transactions. The volume of specie and paper money in circulation has increased as follows :—

Year.	Yen.
1887	199,038,363
1891	248,966,765
1893	283,396,779

The growth in the yield of the principal taxes is considered separately, but for the sake of convenience, figures may be collected into the same table as follows :—

Year.	Customs—Yen.	Tax on *Sake*.—Yen.	Tax on Tobacco. Yen.	Income Tax. Yen.
1872	1,596,595	16,270	—	—
1876	1,958,874	1,911,639	244,148	—
1880	2,636,589	5,511,335	29,288	—
1884	2,547,704	14,068,132	1,294,315	—
1887	3,763,630	13,697,723	1,244,002	(1888) 1,012,376
1891	4,723,471	15,560,435	1,844,861	1,058,441
1893	5,881,024	[§]+15,730,803	1,895,530	(1894) 1,103,402
1895	[§]6,300,000	[§]17,386,913	[§]2,904,422	[§]1,287,535

Thus the customs duties quadrupled in twenty-four years. In the case of the tax on *sake*, a mere comparison of figures at both extremes of the table does not convey a correct idea of the development of the brewing industry, for the rate of taxation underwent several modifications. The latest change occurred in 1882, when the rate was increased to 4 *yen* per *koku*. Since then the total tax collected shows an increase of 10 per cent. The same observation applies to the tax on tobacco, the rate of which was last modified in 1888. During eight subsequent years, the yield of this tax increased by 14 per cent. As to the income tax, it was first imposed in 1887, and in spite of great defects in the mode of collection, the yield has since increased 20 per cent.

In conclusion, the writer offers a few observations on the present prosperous condition of his country. During the short period from January to the beginning of October of the present year, the following projected investments of money were announced :—

	Yen.
Banks	14,265,000
Railways	59,105,000
Companies	12,251,000

The present commercial and economical activity is sound and healthy, in the writer's opinion, but he apprehends that the tendency may attain such dimensions as to involve a severe crisis.

The essay concludes in the following strain :—"These statistics and statements may be incomplete in many respects, but they are not entirely without value as materials for forming an idea of the present economical position of the country, and for solving the problem whether or not Japan's resources warrant her in entering upon a policy of expansion. Instead of being satisfied with merely contemplating the supposed greatness of our shadow, we must coolly and accurately examine our actual stature by the application of a statistical measure. . . . . In endeavouring to impress our countrymen with a proper sense of their national resources, it is not our desire that they should be satisfied with the present degree of progress. The increased self-confidence that a survey of the country's recent progress cannot fail to foster, should further stimulate the spirit of enterprise and adventure."

[§] Estimated amount. +This figure refers to the year 1894.

LETTERS FROM FORMOSA.

(FROM OUR SPECIAL CORRESPONDENT WITH THE JAPANESE ARMY.)

Taiwanfu, Formosa, Nov. 20th.

There is a great deal of discussion regarding the method of escape adopted by Liu Yung-fu, the Black Flag Chief. It is stated by some that he was in the boiler-room of the Douglas steamer *Thales*, and was shovelling coal with a vengeance, when the Japanese made their rigid inspection; that he was disguised as a woman and carried a baby at his breast, and when the Japanese appeared was endeavouring to give it food while the youngster yelled and kicked; that he was concealed in a box covered with coal, placed in one of the bunkers; and again that he did not go in the *Thales* at all but was aboard a junk. These are only a few of the many explanations offered for his mysterious disappearance. Opportunely, I have at hand a letter, which I quote, from one of the leading Chinese of Amoy, who possesses his own method of accounting for Liu's escape. "Liu Yung-fu escaped, "he says" from Anping on the 20th of last month by paying the captain nine thousand dollars, whereupon

he was concealed aboard the merchant ship *Thalet*. Arriving at Amoy on the 22nd, he came at once to the Ho-sing-ho hotel, where he stayed three days, then, together with his son and about twenty-five officials, he went through Chio-ma by land to Chang Choo-foo, the capital, reaching there on the 27th and quartering at the Ko-sing-quan hotel. The owner discovering the identity of his famous guest, notified all the Yamêns in the city of his arrival, and many leading officials called, but Liu refused to receive them. It seems that Liu's visit to this city was to meet an old friend and supporter, named Chia-chi-mung, a very wealthy man who owns much property in Formosa and formerly spent much time there; for immediately upon arriving a message was sent to this man, who came at once and was received. The two friends had a long conversation regarding the recovery of Formosa and the avenging of the deaths of the Chinese there. After the meeting, Liu left the city for Annam, going overland, and after a few days reached Canton. Five German men-of-war were in Amoy Harbour on September 21st. One of them left and went to Quemoy, which is near Amoy, and after examining the island closely and making careful surveys, placed stakes and flags to mark the boundary of the territory they intended to turn into a settlement. Our Chinese officials, although informed of the proceedings, made no attempt to drive them away, nor would they even protest. The Germans informed us that many of the China ports were going to be besieged by the European countries at once, and that eventually China would be divided up among the foreigners. If this is true what will our nation do? Indeed, China is in great danger! Will not Japan interfere and help us in our trouble?"

On the 14th, H.E. Viscount Takashima, Commander-in-Chief of the Army in Formosa, and Lieutenant-Governor of the island, left Tainan-fu with all his staff, and with his departure the Expeditionary Army as a whole ceased to exist. General Nogi's Second Division will remain to garrison the southern part of the island, and so long as active operations are needed at the outposts or occupied stations, their rule will be supreme at such places. At the main towns or cities the Prefects and Sub-prefects have taken charge, and will act so long as there is no call for military interference, but the numerous minor civil officials, who will be eventually distributed over the country, have not been appointed yet, and will not be until all military occupation has ceased.

As soon as the telegraph line is constructed to the South of the Island, *i.e.* to the South Cape Light, and meteorological information can be obtained speedily, a great boon will be conferred on mariners, and hosts of other interested persons, for then approaching typhoons can be rapidly reported all over the surrounding seas and places by the Observatories at Shanghai and Hongkong. This has been long desired, and urged on the Chinese but, of course, with no result, beyond perhaps derisive wonder.

There seems to be some trouble in the Customs at Anping. This is admittedly from no want of goodwill on the part of the officials, who, on the contrary, the foreign merchants inform me, seem most anxious to do all they possibly can, but as they have adopted the old Chinese tariff and regulations both in Anping and Taipeh-fu, which are quite new to them, they seem unable to get the offices into smooth running order.

Taipehfu, Nov. 23rd.

Ocean trips have several times been made with small boats specially constructed for the voyage, but a sail for long distances by ordinary small open fishing boats has not often been recorded. As the Chinese neglected the North Formosa fisheries, the Japanese authorities decided to engage fishermen from Japan and bring them with their boats and tackle to Formosa. Mr. Ota, of Japan, who is interested in placing this profitable resource in the hands of his countrymen, arranged with a leading fisherman who engaged over 60 men with 12 boats. It was the intention to convey these people and their boats to Formosa on board a transport, but upon learning this, these hardy fishermen made a decided objection, considering the proposition a slight upon their ability as sailors, and requested permission to make the voyage in their own boats. The little fleet of 12 boats, the smallest 25 feet and the largest 40 feet in lenght, piloted by a veteran fisherman who had been chosen Commander, sailed away from their native village near Shimonoseki on the 13th of October, at 1 p.m. At eight in the evening of the same day they arrived off the island of Tsushima, which is to the westward of Japan. From thence to Okinawa, Loochoo Group, occupied two days and one night, and Yayeyama was reached two days and one night after. From Yayeyama to Kelung, Formosa, their destination, one day and one night, and the 12 boats arrived in harbour together. Thus only five days and three nights were occupied in sailing 800 miles, which for such craft as fishing boats is exceedingly good work. This is the actual sailing time, as stoppages of several days were made at each of the Loochoo islands named, and it was eighteen days from the date of departure in Japan before they arrival at Kelung. Only a common pocket compass and a roughly drawn chart were possessed by the commander, who depended more upon his knowledge of the direction of the currents, which were watched very closely, than observation of anything else. The wind was not feared, although it blew very strongly when nearing Formosa, and the sea was exceedingly rough, but the currents, which run very strongly to the north of Formosa, caused them some apprehension. The little craft were fitted with three masts, carrying sails 3, 6, and 8 to 9 feet wide. When the wind was very strong and the sea rough the small sail only was used, this being set forward, but when the wind was fair and steady every stitch was spread. On their arrival they were cordially welcomed by the Japanese, and the Governor presented 200 *yen* to be distributed among them. Six of the boats remained in Kelung, and the arrival from them of 5,000 pounds of fish at Taipeh-fu one day this week, shows that they are not idle and that fish are plentiful. On the arrival of the other six boats at Tamsui, to engage in the fisheries there, the 36 men comprising the crews were publicly thanked and complimented by Mr. Kitamura, of the Civil Department, on behalf of his chief, Mr. Okubo, who was then absent. During his remarks he said: "We in Tamsui were previously informed of your intention to make this trip, and while admiring your courage, we, knowing the roughness of the sea to the north of this island, feared for your safety. But, yesterday, when we saw your boats sailing into the harbour and recognized their familiar form, we cheered your safe arrival. Besides an exhibition of your skill and courage, as a practical illustration of what may be safely accomplished in small boats, your trip is of great value. May your efforts at the Formosa fisheries be as successful as your trip from Japan, which has given your native province reason to be proud of you, and caused all to admire your bravery."

The three-masted ship *Inaho Maru*, which was totally wrecked in Kelung harbour on the 12th was owned by the Yusen Kaisha and chartered by the Government, upon whom the loss will fall. She was of 440 gross tonnage, but was old and of not much value. Her cargo consisted of railway material, a portion of which may be recovered.

On the 19th, upon the invitation of Governor Count Kabayama, the leading Japanese officials, members of the Red Cross Society, War Correspondents, and Chinese connected with the Government, met in the afternoon at the Governor's house to bid farewell to General Takashima, formerly Commander-in-Chief of the troops in Formosa, and to celebrate the advent of peace throughout the island. A speech was made by the Governor, in which he thanked General Takashima for his assistance in Formosa; the Guards Division for their services, having been engaged in the field for five months, during which time they were exposed to much disease; the members of Red Cross Society, who volunteered for the service and rendered most valuable aid when many of the Army Medical Corps were incapacitated; and the War Correspondents who, although not inured to the privations of a soldier, being attached to the Army, shared its hardships and followed through the dangers of disease and battle to the credit and honour of their profession. On a permanent stage that stands in the compound of the Governor's house, an entertainment was given which lasted from 3.30 in the afternoon until 7.30 at night, consisting of Japansee songs, dances, and four comedies produced by amateur actors, which were followed by a Chinese professional theatrical performance, and closed with Chinese music by a large troup of "Sing-song" girls, who were engaged for the entertainment of the Chinese guests. Among those present were:—Generals Takashima, Oshima, Murai, Nakamura, and Surgeon-General Ishizaka; Admirals Tsunoda, Tanaka, and Hishima; Colonel Kagiwara, Chief of Gendarmes; Colonel Ijichi, Chief of the Second Division Staff; Colonel Tanabe, *Aide-de-camp* to the Governor General; Colonel Kodama, Chief of Engineering Corps; Mr. Mizuno, Chief of the Civil Department; Mr. Kabayama, D.C.L.; Mr. Okubo, D.C.L.; and many others higher officials; Mr. Li and his assistants, of the Chinese Department, and ten Japanese and one foreign correspondent.

The savages, during the last few weeks, have killed fourteen Chinese and wounded three others in the north-central districts. The bodies were all headless when found with the exception of one.

KOREAN NEWS.

DECEMBER 3RD.

Some of the letters just received by the metropolitan papers from their correspondents in Sōul, are dated a few days before the last disturbance. From these letters, it is evident that the people in the Korean Capital were completely ignorant that anything in the nature of a counter-revolution was in immediate prospect. But it seems to have been understood that the political situation was far from settled. The Cabinet was torn with disputes about the punishment of the men implicated in the affair of October 8th. The Premier, Kim Koshu, and the acting Home Minister, Yu Kitsuzei, are represented as having been in favour of bringing Cho, Minister of War, to justice, but Cho, backed by the soldiery and the police, was stubbornly opposed to the arraignment of any of the principal participators in the *émeute*. A neutral section of the Cabinet were attempting to arrange a compromise between the contending factions.

Concerning the selection of a Consort for the King, it is the general opinion in Sōul that the choice will ultimately fall upon a relative of Kim Koshu, the Minister President. But the decision not having yet been made public, there is some competition between the different rival political factions to obtain the much covetted distinction. It is feared that the disappointment and chagrin of the unsuccessful parties may place serious obstacles in the path of the smooth conduct of public affairs.

The *Jiji Shimpo* publishes interesting figures about the condition of public finance in Korea. According to the Budget for the coming year, now under consideration by the Cabinet, the estimated revenue is as follows:—

	yen.
Land tax	1,059,595
House tax	210,816
Miscellaneous taxes	17,786
Tax on ginsing	105,000
Customs duties	429,882
Coinage of subsidiary pieces	300,000
Miscellaneous income	100,000
Total	2,132,079

As to the expenditure, there are three programmes, the respective totals being 4,398,965 *yen*, 4,336,758 *yen*, and 4,059,725 *yen*. According to the last programme, the two Departments of Education and of Agriculture, Commerce, and Public Works would be abolished, and the affairs at present managed there would be transferred to the Home Department. This scheme, however, being very unpopular among the Korean Ministers, is said to have little chance of being adopted. Perhaps the second draft, with a total of 4,336,758, may be finally chosen. In that event there would be a deficit of 2,204,679 *yen*. How to meet it is a question apparently unsolvable by the Korean Cabinet.

Mr Emery.

No 138.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 27th Dec., 1895.

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

Ans'd Jany 31. '96

S I R:--

I notice that in the notes to the Consular Reports there is one which names the reports of Consuls that have been republished in whole or in part in the trade journals of America and Europe.

Although the reports I have sent the Department have received favorable notices, no mention has been made of the fact in our Consular Reports as indicated.

The London and China Express, The British Trade Journal, The New York Journal of Commerce and The Baltimore Manufacturers Record have all published my reports in part or in whole; and so have The North China News, The Japan Mail and The Shanghai Mercury; and in America: Bradstreet, The Boston Commercial Bulletin, and all of our Export Journals.

The Press of America has been most kind in its references, as is evidenced from the clippings sent me from all parts of the United States.

I have the honor to be,

S I R,

Your obedient servant,

W. R. Jerningham

Consul General.

No 138.

Consulate General U.S.A.
Shanghai December 27 1895.

Mr. Jernigan
To the Department of State.

Subject
With reference to my
reports being published
in Consular Reports.

No. 139.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai 28 Dec.,1895.

Honorable Edwin F.Uhl,

Assistant Secretary of State,

Washington,D.C,

S I R:

I have read Consul Fowler's No.178, of the 20th inst.,with reference to the place for certifying invoices,and have sent him the recent circular issued by the Department on the subject.

I understand from the circular that invoices can be certified to by the Consular officer of the district in which the purchase was made or from which the merchandise is shipped. (?).

If Consul Fowler's construction is sustained by the Department American and other merchants at Shanghai exporting to the United States would be greatly inconvenienced,and their business very much disorganized.

Such purchases as may be made in Consul Fowler's district for buyers at Shanghai and sent here, shipped examined before being sent to the United States,and the shipper has his invoice certified to at this office;in other words the Shanghai market is the market where Chinese products for export are brought from many of the provinces of China and generally sold by sample,and when the products thus sold arrive at Shanghai they are examined in comparison with the sample to test their genuineness;in the larger number of cases the purchases is practically made at Shanghai and the products shipped from Shanghai.

The Department will see the inconvenience of having an invoice certified to at Ningpo for products which may be rejected by buyers in the Shanghai market.

When Consul Fowler knows that tea and other products are being prepared at his port for shipment to the United States from Shanghai he has the opportunity to inform me as to the condition of such products while being prepared

pared or when prepared to be sent here.

In my intercourse with the merchants at Shanghai I have yet to detect any attempt or disposition to evade the laws of the United States, and at a time when China is on the eve of great political and commercial changes, and when other nations are facilitating the means of commercial intercourse, it would be unfortunate for American interests were the views of Consul Fowler to obtain.

I am, Sir,

Your obedient servant,

W. R. Jarvis

Consul General.

Mr Jennings

To

The Secretary

Subject:

With reference to the peace on shipping invoices.

140.

File

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 4 Jan., 1895.

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

S I R:

I have the honor to enclose a table showing the difference between values of local stocks at Shanghai in 1894-95.

As new elements are entering into the trade of this port the table may be interesting as an index to one branch of the local market.

I have the honor to be,

S I R,

Your obedient servant,

W. Jernigan

Consul General.

Enclosure:

1., As noted.

No 144.

Consulate General U.S.A.
Shanghai, January 4th 1895.

Mr. Langdon
To the
Department of State.
Washington.

Sir,

I have the honor to enclose herewith Extracts from Local papers relative to Shipping at Shanghai for 1894 & 1895.

I am, Sir,
Your obedient servant,

TABLE SHOWING DIFFERENCES BETWEEN VALUES OF LOCAL STOCKS IN 1894-95.

Stocks.	Values. 28 Dec. 1894.	Values. 31 Dec. 1895.	Appreciation.		Depreciation.	
			Dollars.	*Taels.*	*Dollars.*	*Taels.*
BANKS.						
Hongkong and Shanghai Banks	115 %	184½		5,037,000		
Bank of China	nil.	nil.	no difference.			
do. do. Founders	Tls. 20	Tls. 20				
National Bank of China	Dols. 25	Dols. 27½	112,831			
do. do. Founders	Dols. 130	105			18,750	
INSURANCE (*Fire*).						
Hongkong Fire Insurance Co.	Dols. 172	Dols. 265	744,000			
China Fire Insurance Co.	Dols. 75	Dols. 89	280,000			
INSURANCE (*Marine*).						
North-China Insurance Co.	Tls. 200	Tls. 225		125,000		
Canton Insurance Co.	Dols. 145	Dols. 195	500,000			
China Traders Insurance Co.	Dols. 60	Dols. 74	336,000			
Straits Insurance Co.	Dols. 17½	Dols. 24½	210,000			
Union Insurance Society	Dols. 127½	Dols. 195½	680,000			
Yangtsze Insurance Co.	Dols. 78	Dols. 120	291,816			
WHARVES.						
Shanghai and Hongkew Wharf	Tls. 235	Tls. 315		229,360		
Birts Wharf Co.	Tls. 37½	Tls. 55		36,750		
Hongkong and Kowloon Wharf Co.	Tls. 37½	Dols. 49	230,000			
SHIPPING.						
Shanghai Tug Boats	Tls. 107½	Tls. 150		42,500		
Taku Tug Boats	Tls. 60	Tls. 75		129,000		
Indo-Chinas	Tls. 28	Tls. 42		694,246		
China Mutuals	Tls. 50	Tls. 50		no difference.		
Hongkong, Canton and Macao	Dols. 26	Dols. 37½	920,000			
DOCKS.						
Shanghai Dock Co. (since sold)	Tls. 550	Tls. 750		88,000		
Boyd & Co.	Tls. 147½	Tls. 190		331,500		
Farnham & Co.	Tls. 115	Tls. 187½		543,750		
CARGO BOATS.						
Shanghai Cargo Boat Co.	Tls. 147½	Tls. 202		109,000		
Co-operative do.	Tls. 122½	Tls. 185		62,500		
MINING.						
Sheridans	Tls. 1	Tls. 2		20,000		
Jelebus	Dols. 4½	Dols. 3			60,000	
Raubs	Dols. 5½	Dols. 4			300,000	
LANDS.						
Shanghais	(20,000) Tls. 34	(10,685) Tls. 70		282,740		
		(9,315) Tls. 46				
Hongkongs	Dols. 54	Dols. 69	750,000			
MISCELLANEOUS.						
Shanghai Gas Co.	Tls. 212½	Tls. 212½		no difference.		
do. Waterworks Co.	Tls. 165	Tls. 185		144,000		
Perak Sugars	Tls. 36	Tls. 36		no difference.		
Hall and Holtz	Dols. 14	Dols. 25	77,000			
Llewellyns	Dols. 37½	Dols. 50	15,000			
Shanghai Horse Bazaars	Tls. 33½	Tls. 51		31,500		
Major Bros	Tls. 25	Tls. 25		no difference.		
Shanghai Sumatra Tobacco	(1,300) Tls. 220	(6,500) Tls. 100		364,000		
do. Lankat do.	Tls. 95	Tls. 225		208,000		
do. Ice Co.	Tls. 120	Tls. 130		5,400		
do. Silk Filature Co.	Tls. 150	Tls. 150		no difference.		
LOANS.						
Municipal 1885	Tls. 107	Tls. 110		450		
do. 1888	Tls. 102½	Tls. 110		5,250		
do. 1891	Tls. 100	Tls. 105		1,000		
do. 1892	Tls. 100	Tls. 100		no difference.		
do. 1893	Tls. 100	Tls. 105		6,250		
do. 1894	Tls. 100	Tls. 110		10,500		
do. 1895	Tls. 100	Tls. 100		no difference.		
Shanghai Waterworks Co.	Tls. 103	Tls. 110		7,000		
do. and Hongkew Wharf	Tls. 102	Tls. 110		32,000		
do. Land Investment 1890	Tls. 100	Tls. 105		12,500		
do. do. do. 1892	Tls. 100	Tls. 100		no difference.		
do. do. do. 1894	Tls. 100	Tls. 110		25,000		
Chinese E Bonds, 1886	Tls. 250	Tls. 275		68.010		
At Exchange 72			$5,146,147	Tls. 3,756,687	$376,750	Tls. 276,487

Tls. 12,408,893
Less depreciation 276,487

Actual gain caused by appreciation of values Tls. 12,132,406

Result of comparative analysis for years:—

	Loss by shrinkage.	*Gain in value.*
1892	Tls. 11,144,274	
1893	2,836,628	
1894		Tls. 2,759,696
1895		12,132,406
	Tls. 13,980,902	Tls. 14,892,102

Shanghai, 3rd January, 1896.

JNO. A. SULLIVAN.
Stock and Share Broker.

The above table giving the actual gain in values of our local securities, is of such an interesting character that everyone dealing in shares, either as an investor or speculator, must feel a certain amount of gratulation in knowing that all securities, with the exception of that bugbear of gambling—mining stocks, have materially advanced and appreciated to the extent of Tls. 12,132,406 and that as regards values, we are to-day in the happy position of having completely recovered from the awful blow inflicted upon us by the terrible shrinkage of 1892, when over Tls. 11,000,000 was lost, During that and the following year the financial world at large suffered by the sharp drop in silver, the smashing of banks, private enterprises and public companies; and many a house had to go to the wall, unable to meet its liabilities. From this state of things we have recovered, and, judging by the above figures, our present prosperity is based on sounder foundations. Our principal stock, the Hongkong and Shanghai Bank, one must be glad to see has recovered in quotation, and that the prosperity has assumed the large figures of an appreciation of over Tls. 5,000,000, a fact which tells its own tale of careful management, much more substantially than empty words can convey. With the prosperity of the leviathan Bank the interests of all are mixed up; and that it should continue to forge ahead must be the wish of all. *Fire* Insurance shares have appreciated over $1,000,000, in consequence of a cessation of the cut-throat policy pursued last year by all the local and home companies, and a well-regulated schedule of rates, fair to every one, has been agreed upon and adopted, by which rates pay now, and losses by incendiarism have been materially lessened, if not stopped altogether, for it does not pay the fraudulent Celestial trader to burn after insuring goods for twice their value. The *Marine* Companies have likewise shared in the good times and the working of the intricacies of underwriting, shows such careful handling that a gain of $2,000,000 has to be recorded. *Wharves* have appreciated over a quarter of a million of Taels, if we take the two companies together, but Birt's Wharf Company has been sold privately and will not figure in future in the table of stocks; but the result of the gain to the Shanghai and Hongkew Wharf shares is mostly due to the storage accommodation being fully engaged during the year and the profitable nature of the work of unloading and warehousing machinery imported for ironworks, cotton mills, etc., a class of business hitherto unknown, but which promised, on account of the depreciated currency to increase as years roll on and Shanghai becomes the important business centre of all China. *Shipping* shares show a gain all round of Tls. 1,500,000, which is caused by the paying freights obtainable during the war, and a profitable out-turn should be shown in the final accounts of the various Companies, when published. *Docks* have naturally increased in value, and many a paying contract has been booked by the keen business heads of both of our local Companies from vessels injured during the late struggle between China and Japan or from other injuries caused by the vicissitudes of misfortune. Farnhams in especial have jumped in value, owing to their seizing the opportunity offered of buying the property formerly leased to them by the Shanghai Dock Co. *Cargo Boats* have justly earned favourable notice from investors, as the Woosung Bar remains in identically the same position as heretofore, without any chance of its being removed; so the continued prosperity of both these Companies will continue until this obstacle is removed. As regards *Mining* stocks, that sink, by which over 8½ million of Taels have been drained during the last four years from China, still keeps up its record of loss. Even the home markets are suffering from the same cause, as the slump in African Gold ventures most painfully shows, when it is remembered that £80,000,000 has been lost over these concerns. It is to be hoped that the sharp experience we have gone through will prevent us from ever again burying money in a hole in the ground, and any stray sanguine promoter will henceforward be given a wide berth. Under the heading of *Miscellaneous* stocks, Waterworks have improved, because being a sterling stock it has received patronage from home investors. In *Tobaccos* the Samatras have done well and have bright prospects ahead; but as regards Lankats it is to be regretted that the concession has not been signed, although the Directors and the manager at the estates have done all in their power to conform to the requirements and demands of the Dutch Government, but, it is to be hoped, that the block will shortly be removed, and the future interests of this promising Company assured. *Land* shares have naturally attracted the attention of investors, for, with rents advancing and land speculation rife, money has been confidently put into these stocks; but it is difficult to know how the future accommodation of the ever increasing and swelling population, now that the Cotton Mill ventures have attracted so many of the working people to make their home amongst us, is going to be supplied, unless the boundaries of the Settlement are extended. *Debentures* of all classes have been, during the last two months, eagerly sought after, although in the spring, what with the war and the serious political complication of the Powers, they were to be had at ten per cent. cheaper than ruling to-day. During the autumn the Municipality and the Waterworks Co. have floated loans with the greatest ease at 5 per cent., and the Shanghai Land Investment are bound to be equally fortunate with their Tls. 250,000 issue of debentures. The difficulty of investing at home is at last attracting money to China; and now that the Silver Question seems settling down, with the certainty of being severely left alone by legislators, more money will be sent; but the plethora of money available here for investment has already caused the Banks to reduce their rate of interest from 5 per cent. to

4 per cent., and it is rumoured that it has already been determined to still further reduce the rate to 3½ per cent.

Four Cotton Mills have been started in Shanghai, and the purchases of suitable sites have helped the boom in land speculation. Two more mills, under Japanese management, are promised, and one or two ventures from our native friends are being matured, for erecting mills under official management; but there is room for the lot, as late experiments in Japan, and close calculators of our local schemes have proved conclusively that there are handsome profits awaiting the plucky inaugurators. It is true that only low counts can be manufactured, owing to the short staple of the native fibre; but populous China is content with this class of goods, providing it is cheap and sufficiently durable. The cheapness of silver is enabling us to compete successfully with Lancashire, and the trade once begun will grow. The fact that all the shares are at a discount proves nothing, as this state of affairs was only brought about by speculators over-applying for shares, on which they could not pay calls as demanded.

Altogether 1895 has been a friend to many, and there is no reason at the moment to doubt that 1896 will be equally good, when the annual result is shown.

J. A. S.

No. 141.

Ack 2/6/14

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 6 Jan., 1896.

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

SIR:

I have read the correspondence between the Department and Consul Read with reference to the objections made by a certain mercantile firm at Chefoo against Mr. Donnelly acting as our Consular Agent there.

Recently Mr. Gustav Gipperich, of the firm of Anz & Co., the largest exporting house at Chefoo to the United States, was in Shanghai and called to see me on the subject.

Mr. Gipperich informs me that there are no objections to Mr. Donnelly, personally, but that Mr. Donnelly is a merchant himself, and contemplates associating with another exporting firm at Chefoo, and that by remaining our Consular Agent he will have the advantage of knowing the entire exporting business of the firm of Anz & Co.

Messrs. Anz & Co. represent to me that it would place their house at a great disadvantage to have a rival house to know the nature and price of their purchases for export to the United States.

Mr. Donnelly is not an American citizen, and while it is gratifying that the objection is not of a personal character, I submit to the Department the preference for the Consular Agency at Chefoo to be filled by an American citizen, and the propriety of selecting some one not engaged in exporting business.

It is very annoying for exporting merchants to have their business pass under the review of their rivals in the trade.

I am, Sir,

Your obedient servant,

W. Jernigan

Consul General

Montreal, January 6, 1896.

The Secretary of State,
Washington, D.C.

Sir:

I have the honor to inform you that I have appointed Mr. Wm. Stuart Dingwall, of this city, to be Deputy Consular Agent at Quebec, to act during the absence of Mr. Consular Agent Dingwall at Quebec.

I have, etc.,

Your obedient servant,

No 147.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, 16 Jan., 1896.

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

Recvd. Feb. 18, 96

INDEX BUREAU RECD. FEB 13 1896 DEPT OF STATE

S I R:

In a recent number to the Department I had the honor to submit the importance of a careful examination of the commercial advantages of the four new treaty ports opened to commerce by virtue of the Shimonoseki treaty of peace between Japan and China; and since I have sent to the Department a report of a general character with reference to the subject. This report was not satisfactory to me, but the best I could prepare with the information at my command, and reference is made to it for the purpose of submitting the fact that the commercial nations of Europe are moving with energy and circumspection on the lines indicated.

I have not availed myself of any leave of absence granted during my incumbency of this office, and have been at desk every day since my arrival; and if it should be deemed of importance — and with the assent of the Department — I will visit the new treaty ports with the view of making a minute study of their commercial advantages and send the result of such study in the nature of a report more in detail.

The new port of Chunking promises to be of considerable importance, and being situated several hundred miles beyond Hankow, and in a position to more readily command Chengtue the place of the riot last spring — it would be advisable to establish a Consulate there. Aside from the probable commercial advantages, there are a large number of American missionaries in the section of Chengtu, and the opportunity to protect their interest would be more favorable. Should a Consulate be established at Chengtu I would suggest that the salary of the Consul be not less than three

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,

Shanghai, [illegible]

[illegible] Davis Esq.

Assistant Secretary of State,

Washington, D.C.

Sir:

In a recent number of the Department

I had the honor to mention the importance of a careful exami-

nation of the commercial advantages of the four new treaty

ports opened to commerce by virtue of the Sino-Japanese Treaty

of Peace between Japan and China. I have sent to the

Department a report of a personal examination with reference to

the matter. This report was not satisfactory to me, but I

hope I could perfect with the information at my command,

reference to some of the problems of existing & [illegible]

ture the commercial nations of Europe & America [illegible]

an extended description of the three ports.

I have not obtained myself of

leave of absence granted during the [illegible] of this

and have been at home ever since my arrival [illegible]

months to confer at Washington — and with the assent of the

Department — I will visit the new treaty ports with the view

of making a concise study of their commercial advantages and

the result of such study in the nature of a report more in

detail.

The new port of Changking [illegible]

of considerable importance, and being situated several thou-

sand miles beyond Hankow, and in a position to [illegible]

Szechuen Province — the richest of the whole Inner Empire — it seems

to be advisable to establish a Consulate there. Also the

Japanese commercial agent there, who is a [illegible]

American missionaries in the section of [illegible]

surely to protect their [illegible]

thousand gold dollars.

I am not favorably impressed with the system of Consular Agency. It would be more promotive of our interest to be represented bya Consul even at a small salary, as it gives more dignity to the position;andwhatever adds dignity to an office in China tends to promote our interest.

In this connection the abolishment of the Consular Agency at Chefoo,and the establishment of a Consulate there is a subject meriting consideration. Chefoo is the Saratoga of China,and the rendezvous of the naval squadrons in Asiatic waters:should the Consular Agency at Chefoo be changed to a Consulate the office ought to be filled by a cultivated gentleman with a sufficient salary to enable him to give an air of comfort and refinement to his Consular surroundings.

Great Brittain expends more than twice as much on her consular service as the United States; her consular buildings are models of neatness;and the salary of her Consul at Shanghai is as large as mine in addition to an elegant home furnished ~~xxxx~~ free. The British Consul General at Shanghai is paid twice as much as the Consul General of the United States at Shanghai,and he also has his home free. It is to this policy that in great part has added influence to the British Consular service in China;the British Consuls are not more competent than our Consuls,and are not as good-looking either.

To give the Department an idea of the increased value of property at Shanghai,the buildings occupied by our Consul General here eight years ago could then have been purchased for thirty thousand gold dollars. Now they could not be bought for one ~~xxxxxxx~~ hundred thousand dollars,and as

Shanghai

Shanghai has every promise of great future commercial prosperity, and being the commercial capital of Asia, it seems that Congress would do well to make some provision for our country to own a home at Shanghai. Even as an investment it would be financially prudent, but the prestige it would bring and the influence it would send out would be infinitely greater in a commercial and diplomatic sense.

I have the honor to be,

S I R,

Your obedient servant,

W. B. Pericipas

Consul General.

Mr Jernigan 3

Chentu, Dec. 19th, 1895.

The American Commission entered this city on the afternoon of the15th with a retinue of 199 men including chair-bearers, coolies, escort and troops sent from the city to meet them. They were escorted to the place prepared for them on the Yuin Shing Hang. These premises were lately occupied by the French Bishop while acting as Commissioner and had been refitted for the American Commissioners. They were waited on by the two Hsiens of this city and the cards of the leading Provincial Officials were presented. A dinner had been especially prepared for them.

The next day new chairs were presented them and they called on the Tartar General, the Viceroy, the Provincial Treasurer and Judge. The latter, whom it is supposed will be appointed to act with the Commission immediately returned the call and the others, excepting the Viceroy who is sick and rose from his bed to meet them, called the next day. They also called on theGeneral and Foreign Office and the Taotai who promptly returned the call. At every yamen from the Viceroy's down they have been received with vice-regal honors; nothing unpleasant has occurred and everything seems to have been done by the various officials to make the Commission feel that it is welcome.

The people follow the leaders and tho' curious are friendly and so far as we can learn are favorably impressed with the Commission. Certainly thus far the Commission has been a success and the position of Foreigners is greatly improved. The most of the higher officials have made a favorable impression on the Commission and it looks as tho' they were prepared to yield to anything reasonable and to place no obstacles in the way of a speedy settlement.

The Commission has not yet commenced its sittings but while keeping its own counsel is evidently determined to see that the officials shall do full justice and that their toilsome journey of 70 days shall not be in vain. I hope they will favor the public with an account of that journey. It is hard work when one must rise at 3.30, pack up and start, travel till night and then rest in Chinese quarters at night.

They report a favorable reception most of the way, but in Signan the

Chicago, Dec. 13th, 1915.

capital of Shensi Province they were greeted by the cry of "Foreign Devil" even at the door of the Viceroy's yamen when on their departure the Viceroy came out to escort them to their chairs all was quiet but as soon as he went in the whole mob began to yell.

They report that after entering this province that especial effort seemed to have been made by all of the local officials and an especially friendly spirit to characterize the people, and the completeness of the preparations for their comfort while staying in the capital surpassed all their anticipations.

The old Viceroy is gone, Cheo, ex-Chief of Police, is not to be found, a different purpose reigns from that of the riot times.

There seems to be not much other news. The Methodist Episcopal Mission has bought the property adjoining their old place but will rebuild on the old site next year. The C.I.M. has rented new and more commodious quarters and Dr. Hart and Mr. Hartwell of the Canadian Mission are on their way to the city.

H. Olin Cady,
Chentu.

Secretary:

This letter is the second received from Dr. Cady. The first having been mailed to you, he in turn received it from some source, and may indeed have forwarded the main substance of the remaining communication through [illegible] accomplished in the [illegible] the remainder [illegible] Foreign Concessions [illegible] be carefully investigated. The clash between Great Britain and Russia appears almost inevitable, unless the powers abandon what they so long have been fighting for. In the East, there is peace in China now. The Chinese dispute-line [illegible] on [illegible]

Jan. 14-96

[illegible]

CONSULATE GENERAL OF THE UNITED STATES,

Shanghai 27 Jan,,1896.

Hon.Edwin F.Uhl,

Assistant Secretary of State,

Washington,D.C.

Copy desp. 575 sent to Treasury Mar 9, '96

S I R:

In pursuance of the Consular Regulations I have the honor to transmit herewith account current of Seaman Talla Samuelson with the American ship "Emily F.Whitney",of Boston,Mass.

The said seaman shipped aboard the said ship on June 11,1895 for a voyage to this port and back to a port in the United States,and died at sea on or about July 20,1895. The arrears of wages,together with the proceeds of the personal effects belonging to the seaman,amounting in all to twenty nine dollars and ninety four cents($29.94) the Master of the ship retains;to be accounted for on the return of the vessel to New York.

I am,Sir,

Your obedient servant,

M. Jarvis

Consul General,

Enclosure:

1,as above mentioned.

INDEX BUREAU
REC'D.
FEB 3 1896
DEPT. OF STATE

Shanghai,
February 2, 1896.

Confd. Fe 6. 96

T. W.

ANS-ATLANTIC CABLEGRAM.

POSTAL TELEGRAPH-CABLE COMPANY
IN CONNECTION WITH THE COMMERCIAL CABLES

B. CHANDLER,
President and General Manager.

JOHN O. STEVENS,
Secretary.

R B 1 a.m. As Co
Secretary of State.
FEB 3, 1896

ollowing CABLEGRAM received, **"Via Commercial Cables,"** *subject to the terms and conditions printed on the back hereof, which are ratified and agreed to.*

Received at 1423 F St. N. W. WASH'N, D. C.
(Where any reply should be sent.)

B17 NY Gt As 20

Shanghai Feb.2, 1896.
1 a.m.

Uhl

Washington.

Chengtu commission here, investigation facilitated, missionaries friendly received, estimate mutually satisfactory, result favorable.

Jernigan.

y respecting this Message can be attended to without the production of this paper. Repetitions of doubtful words should through the Company's offices, and not by DIRECT application to the sender.

Mr Newton

File under Shanghai

W.R

SECRETARY OF STATE ★ ASSISTANT
FEB 15 1896

No. 443

ASSISTANT SECRETARY
MAR 12 1896
DEPARTMENT OF STATE

CONSULATE GENERAL OF THE UNITED STATES,

Shanghai, 3 February, 1896.

INDEX BUREAU
REC'D.
MAR 11 1896
DEPT. OF STATE

Hon. Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

S I R:-

On February 1st, 1896, I had the honor to send the you the following telegram:

"Uhl, Washington,

"Chengtu Commissioners here. Inves-
"tigation facilitated. Missionaries friendly received. Es-
"timates mutually satisfactory. Result favorable.

"Jernigan".

I was informed by Consul Read that the Chinese officials along the route and at Chengtu extended every needed courtesy and were diligent in facilitating the investigation, offering no obstructions, no delay whatever, - and that the returning missionaries, as well as those already at Chengtu, were most friendly received and treated; and that the estimates as to losses were not even debated, but readily assented to by the Chinese when named by the Commissioners.

The sending of the Commission to Chengtu has made a favorable impression and will prove a strong preventive to future attacks against foreigners.

The conduct of the Commissioners and the results of their labors are received with hearty approval by all foreign nationalities in China.

I am, Sir,

Your obedient servant,

W. Jernigan

Consul General.

No. 143
Ltr. Consulate Genl
Shanghai 3 Feb 96

Mr. Denby
to
Department of State
Subject:
Re the arrival
& the close to
Conference

No. 144

CONSULATE GENERAL OF THE UNITED STATES,

Shanghai 4th Feb.,1896.

Honorable Edwin F.Uhl,

Assistant Secretary of State,

Washington,D.C.

S I R:

I have had the honor to receive the Department's No.57,of Dec.27,1895,in answer to my No.130,of Nov.12,1895;the latter referring to the meetings held at Shanghai after the riots.

My number was intended to place before the Department,without reference to any previous number,the character of the meetings and the order in which they were held,and I did not feel that it was necessary to inform the Department,until I received the Department's No.48,of Sept.10, 1895,that I was in no way connected with the indignation meeting,for I felt that I would not be inferentially associated with the action of a meeting at which my superior officer was criticised, In the Department's No.57 I am informed that the instructions in "Mr.Rockhills No.48,of Sept.10,1895,was based upon my despatch No.92,of Aug.10,1895",and that had I furnished the Department with copies of the resolutions reported to have been sent Minister Denby,the confusion and implied censure might have been avoided.

If the Department will refer to my No. 87,of July 20,1895,a printed copy of the resolutions will be found therein enclosed--the resolutions passed by the American meeting of July 15,1895,and in my No,127,of Oct.25,1895,I wrote that I did not sign the resolutions,and had nothing to do with even the American meeting of July 15;the resolutions were not presented to me for my signature,and by referring to them there will be no difficulty in reconciling what I have written on the subject, I did write in my No,92,of Aug.10,1895,that no resolutions were passed at the American meeting,I attended by written invitation,and this is true,for the American meeting I attended was held in the vestry of the Union

Church, at Shanghai, at 5 P.M., on July 1st, 1895, while the second meeting of American citizens was held in the Presbyterian Mission Chapel, Shanghai, July 15, 1895, to receive such affidavits as had been secured by the Committee appointed at the meeting of July 1st for that purpose; and, after the Committee reported the affidavits and other papers secured, relating to the Chengtu riot, it was then that the resolutions of sympathy were passed.

The Department will observe that the action of Americans had no reference whatever to the indignation meeting, which was held on Aug. 5, 1895, several weeks after the Americans had acted, and which was prompted by the Kucheng massacre. This indignation meeting was called by a committee of The China Association, a British Association, and the resolutions that was passed, and that has been heralded so widely, as censorious of our Minister, reads as follows:

"That this meeting is resolved to appeal directly to our respective governments for protection from outrages by Chinese; and against the apparently inadequate manner in which the persons guilty of former outrages have been, and are being dealt with".

From the published speeches of the orators at the indignation meeting, the resolution was intended as an expression of opinion, by foreigners at Shanghai, against the constitution of the first Chengtu Commission, which was understood to be composed of three Chinese officials, a British Vice-Consul, a British missionary, and an American missionary; the main cause of objection being the putting on a Commission for such a purpose at least two Chinese officials suspected of being guilty of inciting the riot at Chengtu, and two of whom have been found guilty by their Government and degraded.

I have thus written minutely, because it seems that I have not been understood clearly on the subject, and because I felt that I did not deserve to be associated with any resolution, passed at a public meeting, censorious of any ofo ficer of my Government, and I beg to respectfully submit to the Department

Department, that before being disapproved for what would have been a breach of official propriety, I would have appreciated an inquiry first as to what I did do.

In the Department's No.57, of Dec.27, 1895, it is stated that the Department is unable to express an opinion as to the resolutions, passed by the American meeting, without a copy of such resolutions, and until it is known whether I signed them, when, in fact, the resolutions were enclosed in my No.87, of July 20, 1895, and when in my No.127, of Oct.25, 1895 (written before my No.130 to which the Department's No.57 is in answer) I stated that I did not sign the resolutions and did not participate in the meeting which passed them. It was impossible for me to submit the facts more clearly than I had, as reference to my No.87 and my No.127 will show. I do not feel that I should be judged by newspaper reports, but I am willing to be judged by the facts; and, now that the Department understands my connection with the meeting at Shanghai, its approval of the object of the American meeting I did not attend is received with high appreciation by Americans in China.

In my despatch, dated July 28, 1895, to Minister Denby, enclosing the affidavits by American citizens, with reference to the Chengtu riot, and the resolutions passed by the American meeting of July 15, I wrote as follows:

"It is a pleasure for me to state to "you that great confidence is expressed by our countrymen in your capacity, your firmness, and your willingness to have their wrongs redressed. They believe you will appreciate their efforts to place before you such material facts as may guide you in the inquiry you are making, and which will make the result of that inquiry creditable to the Government you so honorably represent at Peking".

Under date of Aug.21, 1895, Minister Denby answered as follows:

"I am extremely grateful to those, whoever they were, who prepared those papers, and they have been

of

of exceedingly great value to me in presenting the facts to the Chinese Government".

The Department will see that the record does not bear out the report that the action of American citizens at Shanghai was adverse to, or censorious of their Minister

The first Chengtu Commission was thought to be inadequate, that was all; but no American meeting held at Shanghai has been unfriendly to Minister Denby, as the record so clearly proves.

I am, Sir,

Your obedient servant,

W. Jernigan

Consul General.

Mr. Secretary
of
State Department
Washington
D.C.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA.

SHANGHAI, CHINA, Feb 6 1896

My dear Sir:

With reference to my
letter numbered
to read Department
No. 44. of Apr. 14-1895 to
the Consul at Amoy
No. 10 of Feb 17. 1895;
the Department has
been pleased to direct
that I do not mean
that it is required of you
should be considered
in any sense as an ab-
peal, I do base that

Dear Miss Lane and
for my statement before
signing me to charge.

By, after my statement
had been received, the be-
partment would have
decided what I was in the
wrong, what I would have
been prone to appear
against.

I would, also, be glad
to you would read my
No. 1144, February 4-1896,
which for the fair trial,
and to keep relationship,

I know what you did
appreciate about

relief & visit to your relations & have now determined to come in the Adelphi No. 44, and the Rochelle No. 48. I have only received fourteen numbers of distinctive American coins.

The enclosed clipping may interest you. Some Western boys have been counterfeiting coins. We in recovering coins, and dealers refuse to deal in counterfeit coins.

The Chemical Commission. on which I have been reporting now. Do not be

more personalee to your
business in Boston, as much
can patience, encouragement, and
to your firm maintenance
of the monroe doctrine,

very truly yours.

W. Jennings

Secretary of State.

THE KUCHENG MASSACRE.

ADDRESS BY THE REV. W. BANISTER.

On Tuesday afternoon, in the rooms of the Anglo-Chinese School Soochow Creek, the Rev. W. Banister spoke upon his experiences of the Kucheng massacre of August last, and the subsequent Commission to investigate it, of which he was a member. There was not a large attendance, no doubt in consequence of the hour fixed for the meeting, five o'clock.

The Rev. H. C. Hodges occupied the chair and introducing Mr. Banister reminded the audience of the prominent part he had taken in the events following the terrible massacre, and the able descriptions and reports of the Commission of Investigation supplied by him to the *North-China Daily News*. When it was known that Mr. Banister was coming to Shanghai the occasion was regarded as a favourable one to learn from his lips any additional particulars he had to tell, but the notice at which the meeting was called was short.

The Rev. W. Banister said that although he never anticipated an opportunity of addressing a meeting in Shanghai, he was nevertheless glad of the opportunity because all in Foochow had felt intensely the great sympathy extended to them, not only from Shanghai but throughout China and the world generally, showing that in the face of such a great calamity as happened last summer in Kucheng the great heart of the world beat sound and true. Having described the situation of Kucheng and Whasang, where the massacre occurred —places with which he was very familiar from thirteen years' residence—the speaker graphically described the terrible experience and scenes which met Archdeacon Wolfe, himself, and U.S. Marshal Hixson on their relief expedition up the Min River after the receipt of the tragic news. The meeting with the boats bringing down the survivors of the massacre was a scene which would never fade from his memory, and his description of it deeply moved the audience. Going on to describe the Vegetarians, the particular sect in Fukien responsible for the murders, he said that about five years ago he heard that a new class of Vegetarians had appeared in the district from the province of Kiangsi. They set their faces earnestly against opium, and appeared to gather in all the unemployed and worthless young men of the district, whom they sought to reclaim from the opium habit. They seemed to be doing a really good work in that direction. They began in a small temple just a stone's

throw from the speaker's house and there was no trouble until about two years ago, when the leaders of the sect began to be very aggressive, and practically assumed the functions of the officials, punishing in various ways those who disobeyed their orders. As soon as a man was enrolled as a member he paid 32 *cash*, which went to the head-centre of the body in the province of Kiangsi. A man could please himself whether he would enter the inner circle, but if he did so he paid 1,600 cash and for a week was instructed in private. The candidates for the inner circle were taken privately into different rooms and instructed in the tenets of their order. They were taught to repeat 108 characters, by the introduction of which into conversation they were able to recognise one another. It was found during the examination at Kucheng that the members had different forms of salutation for different positions in the order; one prisoner when asked how he saluted would do so with the hands together and the right thumb over the left, another would do so with the left thumb over the right. There were three degrees in the order, and the members generally had a name different from the one in ordinary life. One of the sources of strength of the order was the propagandists; whenever a man had initiated ten followers then he need not work any more but went from one to the other and was supported by them. If a man had several tens or hundreds he became to all intents and purposes a magistrate, and called the members together to execute the decrees of the sect. It was owing to these men that the organisation had become so strong. Turning to the subject of the Commission, the speaker remarked that people ought to understand how great were the difficulties of Mr. Mansfield and Col. Hixson. Without any instructions, beyond the simple notice to go and hold an enquiry, they went and did their duty splendidly, and Great Britain and America need never fear anything as long as they were represented by men like Mr. Mansfield and Col. Hixson. (Hear hear.) It was a great pleasure to him to be associated with them, as he was, for nearly three months. It was very evident as soon as the Commission got to work that the officials, from the Taotai down to the lowest underling in the *yamên*, were determined if possible to prevent the whole truth from coming out, and the runners, soldiers, and subordinates were constantly receiving bribes from friends and prisoners all round. The spirit of the officials was shown in their at first using the term *yang-kuei-tze* when speaking of the honoured dead or foreigners generally, but they soon altered that. It was important that it should be known that the men ultimately punished and executed were absolutely guilty. There was no doubt of it whatever. He had heard some people express a certain amount of doubt, but it was absolutely certain that only the guilty were punished, in spite of the opposition of the officials, who from morning to night did what they could to hinder justice, and did nothing to help it except under pressure. The officials appeared to be always anxious to let the people understand that they were doing what they could to protect them from the ferocious foreigners. In regard to the standing and position of the prisoners, there was scarcely one who impressed the foreign members of the Commission favourably. They were of the lowest farming class. The only two men who showed they possessed superior intelligence were "Long Finger Nails" and another, who was the actual leader of the body, as he admitted. He told the Commission that had they not been stopped they would have started a rebellion in that part of the country. That man was not executed for the part he took in the massacre but for his treasonable acts and intentions. His was the only head placed over the city gates of Kucheng, all the other heads being taken to the mountain top of Whasang where they still hung. Whilst it was pretty evident most of the men were inspired by a desire for plunder, that mysterious man "Long Finger Nails" struck one at once by having a great deal of intelligence. He was a very clever fellow, and the way in which he replied to questions showed he had been dealing with human nature for many years. Where he came from and why he went to the district of the murders no one knew to this day, and the officials never

with another man with whom he would be able to do great things for China. The poem went on to say that there was a certain character, with thirteen strokes, which was a very precious character, and that they would change the dynasty from the *Tsai T'ien* to a dynasty represented by the character with thirteen strokes. The poem next spoke of the black and white tiger, and said that when they met in conflict it would be a day of weeping and woe in China. When that day came would be their opportunity—the foreigners would have no roof to cover them, and the rich and poor would be the same; no man would want food, and no man would have too much. That would be a great day for their country. Before speaking of the present condition of things Mr. Banister said he had been struck by the growth of Christianity as a political power in China. During the investigations at Kucheng it was impossible for the officials to do anything without the foreign Commissioners knowing it, and in Foochow very accurate reports in Chinese were published of the proceedings of the Commission and widely circulated. He believed that the political force of Christianity would be most strongly manifested in the province of Fukien. He knew of no province where there were so many Christian churches or so many aggressive congregations. There were nearly 30,000 Christians in Northern Fukien, and he believed that notwithstanding the great position of Shanghai, the political force of Christianity would be found to be centred in Fukien. As to the events subsequent to the Commission, his hearers would have seen a published list of suspects. That list had been most carefully prepared, but the Chinese officials had done nothing to investigate the cases. Not only that, but six of the prisoners who were imprisoned had escaped. Only a few weeks ago, two of the most guilty, who had been sentenced to twenty years' had escaped. After speaking of the tremendous amount of make-believe which the Commission revealed, he asked why the world did not step in and insist that justice should be done. (Hear, hear.) For a positive fact he knew that it was the intention at one time to so manipulate the evidence that to the high authorities the massacre world have appeared a small matter. At the present the condition of the country was quiet. The Rev. John Martin, who had been appointed to succeed the late Mr. Stewart, had visited Kucheng twice and been round the country. The other parts of the field in Fukien were very quiet, and the male missionaries had been allowed to go back, but the Consul would not allow the ladies to go at present. He did not think any ladies would go back to Kucheng until after the summer, but probably the ladies would go back to the other parts where there had been no trouble. It was a remarkable thing that at this moment there was a marvellous disposition on the part of the people towards Christianity. In one place 300 families had applied to join the Church, and the fact was evident that there was a remarkable spirit of enquiry and anxiety to get Christian teachers and to join the Church. In conclusion the speaker said he must thank the members of the splendid mercantile organisations in the Far East for their sympathy. Though sometimes the clergy might complain of their non-attendance at Church, it was evident that the hearts of Englishmen and Americans were the same and felt with them, and recognised that they were all marching side by side in the splendid cause of truth and civilisation in this great and wonderful country. (Applause.)

No. 145.

ASSISTANT SECRETARY
MAR 12 1896
DEPARTMENT OF STATE.

CONSULATE GENERAL OF THE UNITED STATES,

Shanghai, 7 Feb., 1896.

File

Hon. Edwin F. Uhl,

INDEX BUREAU
REC'D.
MAR 11 1896
DEPT. OF STATE

Assistant Secretary of State,

Washington, D.C.

S I R:

I have the honor to inform the department that during the last fiscal year the record of invoices at this Consulate General shows a material increase in trade over any one of the preceeding five years.

It is inexplicable to me why American business houses in the East prefer to employ subjects of Great Brittain to their own countrymen for head agencies.

Two of the largest American houses at Shanghai have subjects of Great Brittain for head agents, and one of our largest and most reliable insurance companies is represented by a British subject, and the amounts insured for are even named in pounds.

These agents are paid renumerative salaries, and while there can be no personal objection to them, and being a matter personal, the custom has been followed so long that there really does not appear to be any distinctive American business here.

In one of my trade reports this custom was referred to, and I was gratified at the favorable response made by the American press.

I notice that some of the business houses in America are complaining of the inefficiency of Consuls, and I can point out that a few of these very business houses are represented in Asia by subjects of Great Brittain.

I am, Sir,

Your obedient servant,

W. Jennings

Consul General.

Consular Service U.S.A.

Shanghai 7 Feb 96

Wm. J. Hunyan

&

State Department

Washington:

American Business

Houses in China

Ack. Eng Notice to Mr. Carr 4/14/96 M.

No. 146

Consulate-General, U. S. A., Shanghai

February 17th, 1896.

INDEX BUREAU
REC'D.
MAR 25 1896
DEPT. OF STATE

Mr Jerrigan

To the Department of State.

SUBJECT:

Julian S. Carr letter with reference to claim.

ABSTRACT OF CONTENTS:

Mr Whitelaw

ASSISTANT SECRETARY
MAR 27 1896
DEPARTMENT OF STATE.

I can't read this writing - What is it about. Ask C. to have his despatches written more legibly

Ask. name on
14/3 WR

No. 146

Consulate-General, U. S. A.,

February 17th, 1896.

Honorable Edwin F. Uhl

Assistant Secretary of State,

WASHINGTON, D. C.

Sir:

I have the honor to receive herewith Department No. 5[th] of December 28[th] 1895, enclosing copy of a letter from Mr. Isaiah Wilson in reference to the claim of Mr. J. Barr. Some time ago I received a similar letter from Mr. Barr, and I am under the impression that I answered it; for there was no such claim in this office I declined to concern myself in the matter, and this office has no official knowledge of the circumstances which have led to the institution of the claim or the grounds on which it is based. Under existing circumstances, there

performing any part of such duties. The application to the bar was instituted in this way: Mines conducting the "Cave Chronicle" during the campaign of the last Presidency, the bars banned me #1200 which he provided to refund said money & expected to succeed - and did succeed; and when succeeded I came to the bar that as we were in the minority on campaign it was necessary, to have the paper alive, to use his money and return to, the amount, and it was my wish to retain the paper and was not sure, & using time as much as anyone else. I have never wanted the bar to lose his money, and trusted that I would have enough to pay him, but others were able to lose, yet equally connected in support of the paper, have asked me to keep them, and I have and want to, because my connection with the "Chronicle" was the cause of their pecuniary loss; I have done my best, deeply sorry I could not do more, time was do use I have to devote me.

I have the honor

W. Jennings

Bryan Jones

No.146.

Consulate General U.S.A.

February 17,1896.

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

Sir:

I have had the honor to receive Department's No.58, of December 30th 1895, enclosing copy of a letter from Solicitor Faison, with reference to the claim of Julian S. Carr,

Some time ago I received a threatening a letter from Mr. Carr and I answered that he might execute his threat for there was no act of mine that I desired to conceal from my Government, that I would have no difficulty in making clear the strict honesty of all transactions with which my name was connected, as well as the utilization of all means at my command, after meeting absolute necessities, in performing my part of such transactions. The obligation to Mr. Carr was incurred in this way; while conducting the "State Chronicle" during the campaign of the last Presidency, Mr. Carr loaned me $1,200 which I promised to repay with money I expected to collect and did collect; and when collected I said to Mr. Carr that as we were in the midst of a campaign it was necessary, to keep the paper alive, to use his money and mine too. He assented, and it all went to sustain the paper and all was lost I losing twice

No. 146.

Consulate General U.S.A.

February 17, 1896.

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

Sir:

I have had the honor to receive Department's No. 58, of December 30th 1895, enclosing copy of a letter from Solicitor Faison, with reference to the claim of Julian S. Carr,

Some time ago I received a threatening letter from Mr. Carr and I answered that he might execute his threat for there was no act of mine that I desired to conceal from my Government, that I would have no difficulty in making clear the strict honesty of all transactions with which my name was connected, as well as the [illegible] of all means at my command, after meeting absolute necessity in performing my part of such transactions. The obligation to Mr. Carr was incurred in the [illegible] the "State Chronicle" during the campaign of the last Presidency, Mr. Carr loaned me $1,200 which I promised to repay with money I expected to collect and did collect; and when collected I said to Mr. Carr that as we were in the mist of a campaign it was necessary to keep the paper alive, to use his money and mine too. He assented, and it all went to sustain the paper and all was lost I losing twice

as much as anyone else.

I have never wanted Mr. Carr to ~~see~~ lose his money, and trusted that I could save enough to payhim, but others, less able to lose, yet equally earnest in support of a paper, have asked me to help them, and I have and want to, because my connection with the "Chronicle" was the cause of their ardent loyalty to it. I have done my best, deeply sorry that I could not do more and will do all I can to satisfy all.

I have the honor to be,

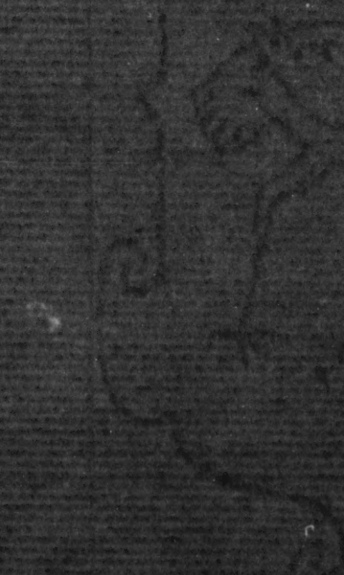
T.R.Jernigan,

Consul General.

1894

ALL LINEN

CRANE'S



LINEN

Ack'g'd Mr. Brandenburg informed 4/14/96.

No. 147

Consulate-General, U. S. A., Shanghai

February 17, 1896.

INDEX BUREAU
REC'D.
MAR 25 1896
DEPT. OF STATE

Mr. Jernigan

To the **Department of State.**

SUBJECT:

Mr Brandenburg's letter with reference to a mule.

ABSTRACT OF CONTENTS:

Consular Bur.
Writes to Mr Brandenburg
in reply to his letter of Jan 4
acknowledged by the D. of S.
to Jernigan F.L.

No. 147

Consulate-General, U. S. A.,

February 17th, 1896.

Honorable Edwin F. Uhl

Assistant Secretary of State,

WASHINGTON, D. C.

Sir:

I have had the honor to receive Department No. 60. of February 2nd instant, with the letter from Messrs. A. Bandelmann to Messrs. Beer Sondheimer, with reference to a note of mine, and have handed Bandelmann for correction.

The letter named seems to imply that the note has been received for some time subsequent to my communication; and as the note is said to bear date March 29-1894, the implications appear to be warranted; but the facts are these: Owing to illness, serious for me, business on Sundays, and the pressure of numerous calls at the Cabinet of my

Dear, to which I have likewise consented to subscribe, I am unable to meet my obligations, but before leaving I cannot but give you my note, and this note to which I call your attention is based upon your note, since given for former purchase subsequent to our agreement, but for an obligation long due before, since I have been in office, I have never received from any person a dime in discharge of obligations held by virtue of my position, so I have been compelled to do, and I shall continue to do, my official duty, without regard to the character, or the residence of any person, even though it may be connected, directly or indirectly, with Tammany Hall, or any other political organization. I am, Yours truly,

W. Ferris
Comm'r Gen'l

No. 148

Consulate-General, U. S. A., Shanghai

February 14th, 1896.

INDEX BUREAU
REC'D.
MAR 25 1896
DEPT. OF STATE

Mr Jernigan

To the **Department of State.**

Rec'd Apl 14, 1896. Dept. is making inquiry with a view of finding suitable man for office of Turkey & interpreter.

SUBJECT:

Interpreter

ABSTRACT OF CONTENTS:

Mais elle abrégera pour
beaucoup quelques années
ou du moins quelques mois une
bien longue souffrance, et une pénible
maladie. Nous nous sommes
tous à peu près habitués
à une complète privation de la
vue, nous accomplissons
en rêve chacun une certaine
quantité.

Adieu, Sire.
Votre obéissante servante
M. Jeanneret
Baronne Renaud

No. 214

CONSULAR BUREAU
NOTED AND PUBLISHED.

Consulate-General, U. S. A., Shanghai

February 21, 1896

INDEX BUREAU
REC'D.
MAR 25 1896
DEPT. OF STATE

Note death
on file.

Mr Jernigan

To the Department of State.

SUBJECT:

Reporting deaths
of Returned American citizens.

ABSTRACT OF CONTENTS:

No. 149

Consulate-General, U. S. A.,

February 21st, 1896.

Honorable [illegible]

Assistant Secretary of State,

WASHINGTON, D. C.

Sir:

I have to inform, with regret, the death, on this date, of the following American citizen:

James M. Barnwell, an engineer employed, about, twelve miles [illegible] this town, on the 20th November 1895 by burning of the boiler, the Barnwell was engaged [illegible] American known as [illegible], was [illegible] the Barnwell [illegible] to have [illegible] the boiler [illegible] was [illegible] by the explosion, I [illegible] the [illegible] of the [illegible] of the deceased, I am [illegible] the [illegible], [illegible] death had been [illegible], as [illegible]

Herr Abendstern, Maschinenfabrikant in Berlin, geboren 1820, geboren in Bremen, Deutschland, starb 19-12-96 in Berlin. Die Ehe wurde in Berlin geschlossen. Die Ehe wurde in Berlin geschlossen. Die Ehe wurde in Berlin geschlossen

No. 154.

R. and Copy

CONSULATE GENERAL OF THE U.ITED STATES,

Shanghai, 5th Mch, 1896.

Honorable Edwin F. Uhl,

Ass't Sec'ty of State,

Washington, D.C.

ASSISTANT SECRETARY
APR 4 1896
DEPARTMENT OF STATE.

INDEX BUREAU
REC'D.
APR 3 1896
DEPT. OF STATE

BUR. OF STATISTICS
ACKNOWLEDGED
APR 8 1896

BUREAU OF STATISTICS
GIVEN TO PRESS.
April 14
DEPT. OF STATE.

S I R:

The report for 1895 of the Municipal Council of Shanghai is interesting as showing the growth of the city in population and as a manufacturing center.

In 1885 the population was 125,666; in 1890, 171,950, and on June 1st, 1895, 245,000. The figures represent the number living within the foreign settlement of Shanghai, and not the residents of the native city. The native (Chinese) city is enclosed by a wall and contains about 200,000 inhabitants. Of the number residing in the foreign settlement about five thousand are foreigners, composed of all nationalities, but in numbers dominated by British.

The foreign settlement has a police force of 500, and a military organization of about 400. The military organization is composed entirely of foreigners, and is well-equipped as infantry, cavalry and artillery, regularly officered and drilled.

From the opening of the port of Shanghai, about fifty years ago, to within the last few years, it was chiefly an emporium for the distribution of goods from foreign countries and the export of the staple articles of Chinese trade, but now it is fast becoming a great manufacturing center, and the settlement is admirably suited for the purpose. Before 1890 there were only five mills located within the settlement or adjoining the outside roads; now there are fifty three erected or nearly completed, and these embrace cotton mills, silk filatures and factories.

I am, sir, Your obedient servant,

J. R. Jernigan
Consul General.

5-19-96

Respectfully referred to the Secretary of War, with the request that the inclosed letter be transmitted to the Governor of Porto Rico.

By direction of the President:

Adjutant General.

ASSISTANT SECRETARY
MAR 10 1896
DEPARTMENT OF STATE.
INDEX BUREAU
REC'D.
MAR 11 1896
DEPT. OF STATE

16

TELEGRAM RECEIVED.

Cipher
June 29, 1896.

From Shanghai

March 10, 1896.

Received 10, 15 A.M.

Rockhill,

Washington.

Kengtu report forwarded Newell here suggest instruct Hixson come will expedite Kutien report

Jernigan

No. 157

File

CONSULATE GENERAL OF THE UNITED STATES,

Shanghai, China, March 12, 1896.

Hon. Edwin F. Uhl,

Assistant Secretary,

Washington, D.C.,

S I R,-

On the morning of the 1[redacted] inst I received the following cablegram;-

American Consul General, Shanghai,

Has Chengtu report been forwarded. Urgent also Kutien report.

Rockhill.

In answer to the above I cabled, on the 10th inst, as follows;-

Rockhill,

Washington,

Chengtu report forwarded. Newell here. Suggest instruct Hixson come. Will expedite Kutien report.

Jernigan.

As soon as the Chengtu Commissioners arrived here they began to prepare their report, and when completed they wired the fact to Minister Denby, who instructed them to send the report direct from here to the Hon. Secretary and a copy to him. This was promptly done, as the mail left for the United States a few days after the Minister's instructions were received, the 6th inst.

Commander Newell of the "Detroit" is now here, and as he and Consul Hixson served on the Kutien Commission I suggested the latter be instructed to come here, because I thought, owing to the condition of Mr. Hixson's health, that Mr. Newell could render such assistance as would expedite the Kutien report.

Mr. Hixson has been dangerously ill, and has been very much disappointed ~~by~~ at the delay in the preparation of his report.

I am, S I R,

Your obedient servant,

W. Jernigan
Consul G.

Consulate General
United States
Shanghai, Oct 12 '96

The Secretary
of State
Department of State
Washington

Subject:
Opium
Dahlgren
Miss Rebecca
to Benevolence and
Kindness refused.

Shanghai No. 152. 3/20/96.
Sent in original to Treasury
July 22. 96.

Invoices. Reply to Circular
of Dec. 5. 95.

3-3.

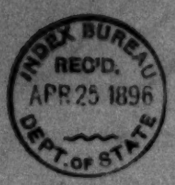
Note

CONSULAR BUREAU
NOTED.

CONSULATE GENERAL OF THE UNITED STATES,

Shanghai, 25th Mch, 1896.

S I R:



I have the honor to enclose herewith three certificates, certifying (1) to the marriage of Elliot F. Tompson to E.M.H.Keshima; (2) to the marriage of M.B.Grier to Henrietta E.Donaldson; and (3) to the marriage of Thos.Lee Blaylock to Emma Smith Humphries.

I have the honor to be,

S I R,

Your obedient servant,

M. Jernigan

Consul General.

Hon. Edwin F. Uhl,

Ass't Sec'ty of State,

Washington, D.C.

Enclosures; 3, as noted.

No.153.

Consulate General U.S.A.,
Shanghai,20 Mch,1896.

Mr.Jernigan
To the Department of State,

SUBJECT:

Enclosure of three
marriage certificates.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA January 2nd 1896.

I, J. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, do hereby certify that on this second day of January A.D. 1896, at ..... in SHANGHAI, Ellis N. Thomson aged 61 years born in Fayette Virginia, and now residing in Shanghai and A. H. H. Kelly aged 39 years born in Glasgow Scotland and now residing in Shanghai China were united in marriage before me, and in my presence, by Rev. T. R. Graves who is authorized by the laws of United States to perform such a ceremony.

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI *this* second *day of* January, *A.D.* 1896, *and of the* INDEPENDENCE OF THE UNITED STATES *the* 119th

M. Jernigan

U. S. Consul General.

CONSULAR BUREAU
UNITED
STATES

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA March 13 1896

CONSULAR BUREAU. NOTED.

I, J. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, do hereby certify that on this 13th day of March A.D. 1896, at the U.S. Consulate General in SHANGHAI Kingsang Lee Blalock aged 31 years, born in Mecklenburg County North Carolina and now residing in Taichuang China and Emma Smith Humphries aged 30 years born in Bethel Pitt N.C. and now residing in Taichuang China were united in marriage before me, and in my presence, by Rev Geo L Blalock who is authorized by the laws of the United States to perform such a ceremony.

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI *this* 13th *day of* March, *A.D.* 1896, *and of the* INDEPENDENCE OF THE UNITED STATES *the* 119th.

J. R. Jernigan

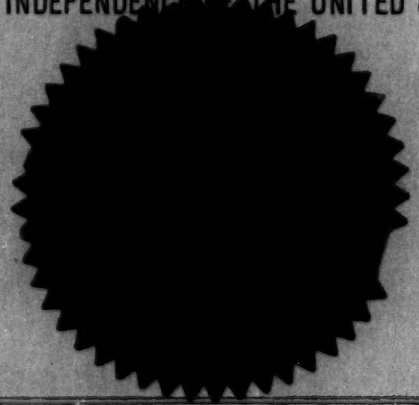
U. S. Consul General.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA March 6 1896

I, J. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, do hereby certify that on this seventh day of March A.D. 1896 at the Presbyterian Mission 18 Peking Road in SHANGHAI Wyatt Brown aged 29 years, born in Due West South Carolina and now residing in Su Chien China and Henrietta B. Qualman aged 26 years born in New York City N.Y. and now residing in Su Chien China were united in marriage before me, and in my presence, by Rev Geo F. Fitch who is authorized by the laws of United States to perform such a ceremony.

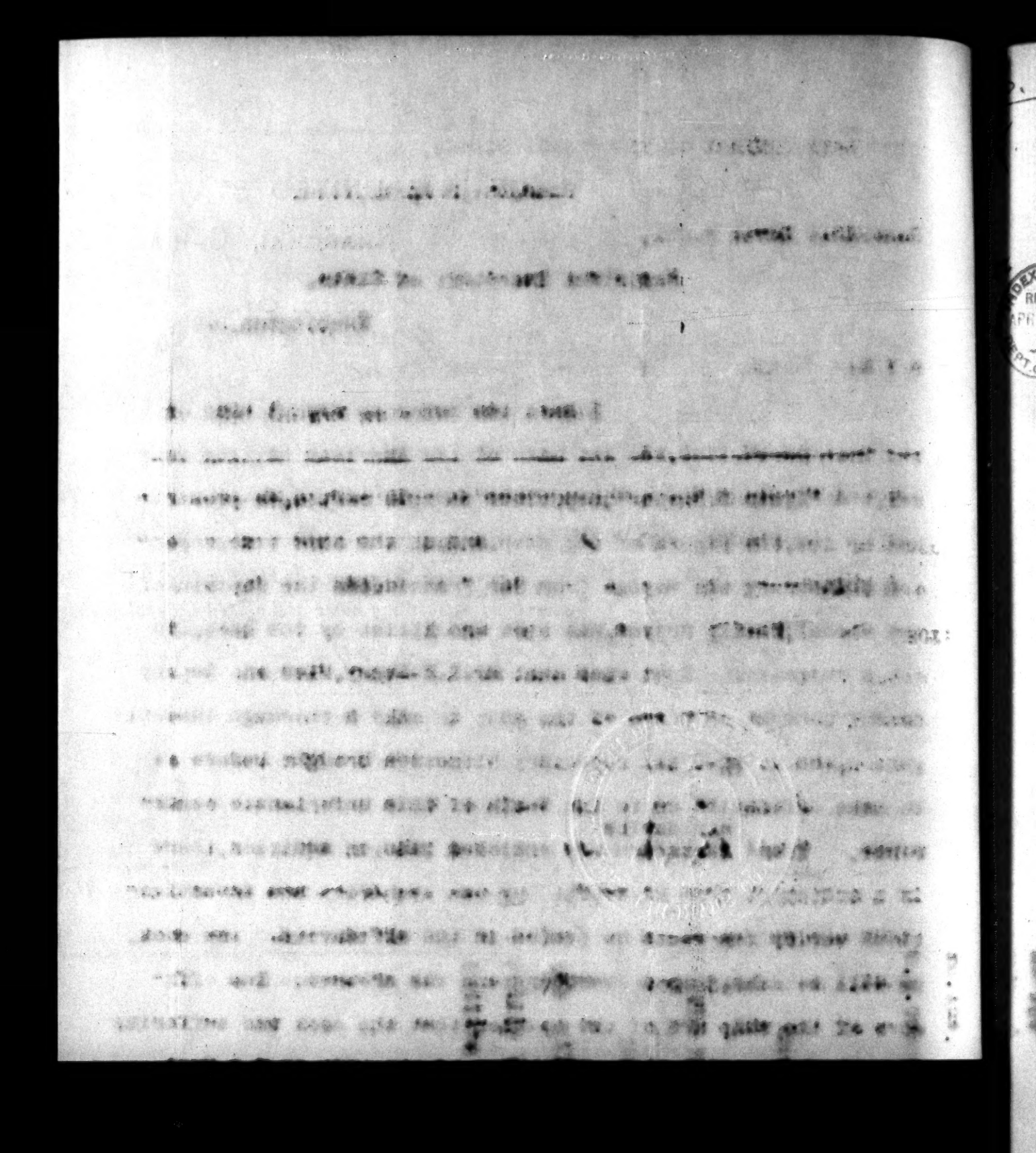
In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI this 7th day of March, A.D. 1896, and of the INDEPENDENCE OF THE UNITED STATES the 119th



J. R. Jernigan

U. S. Consul General.

CONSULAR BUREAU. NOTED.



No. 154

Note & publish & Copy despatch only to Treas. Copy of Despatch to Treas. Con. Bur. May 4/96

CONSULATE GENERAL OF THE UNITED STATES,

Shanghai, 3 April, 1896.

ASSISTANT SECRETARY MAY 1 1896 DEPARTMENT OF STATE

Honorable Edwin F. Uhl,

Assistant Secretary of State,

Washington, D.C.

INDEX BUREAU REC'D. APR 30 1896 DEPT. OF STATE

Copy in return to almeta Gardner & Thornley June 10. 96.

SIR: I have the honor to report that on the 29th March, 1896, the 1st mate of the American sailing vessel, the "Lyman D. Foster", deposited in this office, as prescribed by law, the papers of the ship, and, at the same time, reported that during the voyage from San Francisco the Captain of the vessel, Philip Dreyer, was shot and killed by the cook, Lin Gew, a Chinaman. I at once sent Mr. I.E. Avery, Vice and Deputy Consul General on board of the ship to make a thorough investigation, and to have all necessary witnesses brought before me to make affidavits as to the facts of this unfortunate occurrence. These affidavits are now enclosed; and, in addition, there is a statement from Mr. Avery. My own inquiries and investigations verify the facts as stated in the affidavits. The cook, as will be seen, jumped overboard and was drowned. The officers of the ship are of the opinion that the cook was suffering from temporary insanity. The owner of the ship is W.G. Hall, 28 California Street, San Francisco, Cal., and the ship hails from that port. The effects of the Captain have been inventoried and left on board to be delivered in San Francisco. The home of the Captain was in Almeda, Cal. He is reputed to have been a good officer and a humane man, very much respected by the officers and crew of the ship. The Captain was here about eighteen months ago, and impressed me as being a very deserving man. His body was buried at sea.

I am, Sir,

Your obedient servant,

W. Jernigan

Consul-General.

Inventory of Capt. Dreyer's effects enclosed.

And Affidavits as above stated

No.154.

U.S.Consulate General,
Shanghai,
3 April,1934.

Mr.Jernigan
to
The State Department

Subject:

The Killing of Captain
Philip Dreyer,of the American
Sailing Vessel, 'Lyman D.Foster'

Mr.Avery's statement:

Immediately after the first mate of the "Lyman D.Foster" had reported the killing of the Captain of that vessel, in compliance with instructions from Mr. Jernigan, I went on board the "Lyman D.Foster" to make possible investigation and to have the witnesses to the occurrence brought to this Consulate General to make affidavits as to the facts

I inspected the donkey room where the Captain is said to have been shot, and saw the marks of five bullets alleged to have been fired by the firstmate. I also saw the marks of fire, which had evidently originated in what was said, by the officers of the vessel, to have been the cook's berth. I appeared to me that the fire must have been sufficiently large to have caused serious apprehension.

The evidence furnished me at the time I was on the "Lyman D.Foster" is fully corroborated by the affidavits enclosed to the Department by Mr. Jernigan.

U.S.Consulate General,

Shanghai 3 April, 1896.

UNITED STATES CONSULATE GENERAL,

Shanghai, 26th Mch, 1896.

A. Anderson, first mate of the American sailing ship the "Lyman D. Foster, having been duly qualified according to law, makes oath before me as follows:

On the 25th Feb., 1896, at about 9:30 A.M, I was called from my room by the man at the wheel, who said, The Captain is shot. I went on deck, and saw the Captain holding his hand against his left side. He said The cook has shot me; put him in irons. Then the cabin boy, a negro, came to me and handed me a revolver with which he said the cook had shot the Captain. He said the cook was armed with an axe and a knife. I saw the cook who was in the kitchen and told him to deliver himself up. He said, Don't come near me; I'll kill everyone of you. I got a pair of handcuffs and a revolver. I went forward to the galley. I saw smoke arising from the galley, and I knew the vessel was on fire. I ran into the galley door and saw the cook with a knife and axe. I shot at him twice. Then he ran at me with the knife and axe in his hands. I ran upon the deck-load. The cook ran into the room behind the donkey boiler. I shot at him three times. About this time Seaman Peterson went down into the galley and was stabbed by the cook eight times. Then all the seamen came to Peterson's assistance, and the cook was bound and fastened to the mainmast.

After we had handcuffed the cook and bound him to the mainmast we returned and put out the fire. While we were putting out the fire the cook unfastened the two and one half inch rope that bound and jumped overboard, and was drowned. The ship was running at about eight or nine knots an hour, and it was impossible to stop and pick him up. I discovered after the Captain was shot that the cabin boy had been stabbed three times, and he said the cook had stabbed him. Both the Cabin boy and Seaman Peterson have almost entirely recovered from the effects of their wounds.

The Captain was shot on the 25th Feb.,

1896,at 9:30,A.M.,and died on the 26th Feb;,1896,at 12:15 P.M. Nophysician was on the vessel,but everything possible was done to save his life. He was shot two inches below the left breast and,in my opinion,died from internal bleeding. At the time of the shooting of the Captain the vessel was in Latitude 17 D. 9 M. and Longitude 160 D.,East.

I believe that the cook was suffering from temporary insanity. The Captain had always been very kind to him,and the cook up to this time had been a good,obedient servant. The name of the cook was Lin Gew. He was a Chinaman, and was shipped on the "Lyman D.Foster" at San Francisco,Cal.

A. Anderson.
Master.

Sworn to and subscribed before me,this the 26th day of March, 1896.

W. Jernigan
Consul General.

CONSULATE GENERAL OF THE UNITED STATES,

Shanghai, ~~Feb~~ 26 Mch, 1896.

William Ross, the second mate ~~of~~ the American sailing vessel "Lyman D. Foster", having been duly qualified according to law, makes oath as follows:

On the 25th Feb., 1896, between 9 and 10 o'clock A.M, I heard a noise in the donkey room. I heard a pistol shot. I came aft., saw the Captain, who said he was shot by the cook. The Captain called for the first mate, who came to me and gave me the irons. I went into the donkey room and saw the cook with a knife and axe in his hands. He threatened to kill the first one that came near him. He said he would not go in irons, but he would go overboard. At this time I saw that the kitchen was on fire. At this time I saw that the kitchen was on fire. I went to the force pump to put the fire out. While I was putting the fire out I heard someone say that the cook had jumped overboard.

William Ross
Second Mate

Sworn to and subscribed before me this the 26th day of March, 1896.

M. Jerrican
Consul General.

CONSULATE GENERAL OF THE UNITED STATES,

[illegible]

[illegible]

[illegible]

[illegible]

UNITED STATES CONSULATE GENERAL,

Shanghai, 2nd April, 1896.

Thomas Gatsain, cabin boy of the "Lyman D. Foster", an American sail-ing ship, having been duly qualified according to law, makes oath before me as follows:

On the 25th Feb., 1896, at about 9. A.M. I was in the kitchen with the cook, who was lying down on a bench. The Captain came into the donkey room which adjoined the kitchen. The cook asked the Captain if he would pay him off when he got to Shanghai. The Captain said he was sick of that talk and wanted the cook to stop it. The cook picked up an axe and tried to strike the Captain in the head. I caught the axe. Then the cook drew a revolver from his pocket and shot the Captain, I threw the cook down and took his pistol from him. The cook got away, and got a knife and cut me three times. I carried the revolver to the Captain who was then in his cabin. I returned and saw smoke arising from the kitchen scuttle. Seaman Peterson went down into the kitchen, caught hold of the cook and I saw him cut by the cook several times. Then the seamen came up and put the cook in irons. While we were putting the fire out the cook jumped. The Captain died on Feb. 26th, 1896.

his
Thomas X Gatsain
mark

by his mark.

Sworn to and subscribed to before me, this the 26th day of March, 1896.

W. Jervis
Consul General.

[illegible]

CONSULATE GENERAL OF THE UNITED STATES,

Shanghai, 26th Mch, 1896.

Constantine George, a seaman on the American sailing ship the "Lyman D. Foster", having been duly qualified according to law makes oath before me as follows:

On the 25th Feb., 1896, I was underneath the forecastle at about 9 O.clock A.m., when I heard the cabin boy cry for help. I went into the donkey room door and saw the cabin boy with a revolver in his hand. He said the cook had shot the Captain. The cook had a revolver in one hand and a knife in the other. I then went to the cabin of the Captain. The first mate was searching for handcuffs. The Captain was in the Cabin with the mate; was lying down on a sofa and was trying to load a revolver. The mate left the room. The cabin boy came in about this time with the revolver that he said he had taken from the cook. I went on deck and saw fire coming from the kitchen scuttle. I looked through the scuttle and saw the cook. He said, Don't come near me; I'll kill you. Peterson, a seaman, was the first to go down into the kitchen, and was cut badly by the cook. The rest of the seamen followed Peterson and the cook was handcuffed, brought on dech and tied to the mainmast. while the fire was being put out the cook jumped overboard and was drowned.

Constantine his X George.
mark

by his mark

Sown to and subscribed before me, this the 26th day of March, 1896

M. J. Jernigan
Consul General.

UNITED STATES CONSULATE GENERAL,

Shanghai, 26th March, 1896.

E. Peterson, a seaman of the American sailing ship the "Lyman D. Foster" having been duly qualified according to law, makes oath as follows:

On the 25th Feb. at about 9:30 A.M. I heard a row in the kitchen, and I heard the cabin boy crying Murder. I went on deck and saw the cabin boy with a revolver in his hands. He was bleeding at the neck; I saw smoke issuing from the scuttle of the kitchen. I saw the cook behind the donkey boiler. I went up to him and told him to give himself up. The cook said, Let me go; I want to get into the water. At this time the kitchen was full of smoke I caught the cook who had a knife and axe in his hands. He threw the axe down and while I was trying to get the knife from him he cut me eight times. The seamen then came down, and bound the cook. I was bleeding very much and went aft.

E. Peterson.

Sworn to and subscribed before me, this the 26th day of March, 1896.

M. Jernigan
Consul General.

UNITED STATES CONSULATE GENERAL,

Shanghai, China, [illegible],

[illegible], a member of the American

mailing only the "Open S. Service" having been duly qualified

according to law, [illegible] as follows:

[illegible]

[illegible]

[illegible]

CONSULATE GENERAL OF THE UNITED STATES,

Shanghai, 26th Mch, 1896.

Peter Hansen, a seaman on board the American sailing vessel the "Lyman D. Foster" having been duly qualified according to law, makes oath before me as follows:

On the 25th Feb., 1896, I was in my bunk asleep. It was about 9 o'clock, I think, that I woke up and heard some one cry, Let go. I went on deck, saw the second mate who said the Captain was shot. I looked through the kitchen scuttle and saw the cabin boy scuffling with the cook, who had a knife and an axe in his hands. The cabin boy came on deck with a revolver in his hands. I saw the cook put kerosine oil on his bed clothes and set them on fire. The first mate tried to shoot the cook with a revolver. The cook ran at the first mate with a knife in his hands. Then Seaman Peterson ran up to the cook. When I got up to Peterson and the cook Peterson was lying on top of the cook and was bleeding all over. We put the cook in irons, and bound him tothe mainmast. While we were putting out the fire in the kitchen the cook jumped overboard.

P. Hansen.

Sworn to and subscribed before me this the 26th day of March, 1896.

M. Jernigan

Consul General.

ATTORNEY GENERAL OF THE UNITED STATES.

Washington, June 30th, 1906.

Sir:

Referring to your letter of the 27th inst. in which you request information as to whether or not the Act of Congress approved June 29, 1906, entitled "An Act for the relief of Thomas Hall," is in your opinion constitutional, I have the honor to say that I have examined the Act and am of opinion that it is constitutional. It seems to me that the Act is clearly within the power of Congress to pass, and that the fact that the claim has been barred by the statute of limitations does not affect the question of the constitutionality of the Act. It is quite common for Congress to pass Acts for the relief of persons whose claims have been barred by the statute of limitations, and I know of no reason why it may not do so. The Act in question is not open to the objection that it is a delegation of legislative power to the Court of Claims, for it does not confer upon that Court any power to render judgment in favor of the claimant. It merely confers upon the Court jurisdiction to hear the claim and render judgment thereon, and leaves it entirely to the discretion of the Court whether or not judgment shall be rendered in favor of the claimant. The Act is not open to the objection that it is a special act for the relief of a particular person, but is a general act conferring upon a class of persons the right to have their claims heard by the Court of Claims, and leaves it entirely to the discretion of the Court whether or not any claim shall be allowed. I am therefore of the opinion that the Act is constitutional.

Respectfully,

_____

Attorney General.

The Secretary of the Interior.

Effects on board the "Lyngan D. Foster"
belonging to her late Master Phillip
Seager (deceased).

1 Gold Watch and Chain
1 " Ring
Fifty eight dollars and ninety cents ($58.90)
£ 11. English money.
1 Russian Bill
3 Beds
1 Rain Coat
12 Coats
9 Pairs of Pants
1 Oil Coat
8 Vests
3 Prs. Rubber boots
3 Prs Gaiters
3 " Slippers
1 " Rubbers
3 Umbrellas
8 Suits of Flannels
3 Prs " Drawers
1 " Drawers
3 Woolen Shirts
9 Cotton Shirts
16 Linen "
3 Night "
5 Bed Sheets
7 Pillow Slips

1 Hats
3 Pillows
17 Pr. Socks
7 Cotton Ties
5 Silk Scarfs
5 Pr. Suspenders
8 Silk Handkerchiefs
7 Cotton "
6 Picture Frames
1 " Album
5 Large Photographs
6 Small Pictures
3 Combs
1 Hair Brush
4 Bed Curtains
1 Lamp shade
10 Towels
3 Toilet Bags
1 Match Box.
1 Cap
1 Muffler
3 Yucca Lace work
4 Collars
3 pr. Cuffs
1 Sextant
3 Merchants Pens
34 Charts
1 Pacific Ocean Directory
1 Stanley Physicians
1 Heroes of Daring Deeds

Books.

1 Ships Masters Guide
1 China Sea Directory
1 Pilots Complete Work
1 Commercial Standard
1 Manual
1 Danish Signal Books
6 " Navigators "
1 Expeditious Measures
1 Dictionary
59 Novels
1 Dr. Night Glasses
1 Pocket Book

The above is a correct inventory of the Effects found on board of the American Ship "Lyman L. Foster" and belonging to her late Captain Phillips Foster.

W. Jennings
Consul General

Dated March 26th 1896.

No.185.

File

INDEX BUREAU RECD. MAY 7 1896 DEPT. OF STATE

ASSISTANT SECRETARY MAY 11 1896 DEPARTMENT OF STATE.

CONSULATE GENERAL OF THE UNITED STATES,

Shanghai,7 April,1896,

Honorable Edwin F.Uhl,

First Assistant Secretary of State,

Washington,D.C,

S I R:

Under date of Feb.15,1896,I received Minister Denby's No.457 informing me that the Emperor of Japan had requested the Honorable Secretary of State to procure the assent of Congress for certain United states officials in China,named in the Minister's number,to receive decorations which the Emperor desired to confer.

I answered the Minister that,while I did not wish to interfere with the preference of others, I preferred not to receive any decoration,-satisfied to wear the badge of an American citizen,though appreciating the friendly intentions of the Emperor of Japan and the compliment implied.

I am,Sir,

Your obedient servant,

T.R.Jernigan

Consul General.

No.155.

CONSULATE GENERAL U.S.A.,

Shanghai 7 Apr.,1896.

Mr.Jernigan-

To

The Department of State.

SUBJECT:

Minister Denby's No.457.

Relative to Decorations.

No.156.

To Jun June 7'97 Weeks to give necessa June 1 - Again Aug 24

CONSULATE GENERAL OF THE UNITED STATES,

Shanghai, 10 April, 1896.

Hon. Edwin F. Uhl,

Assistant Sec'ty of State,

Washington, D.C.

S I R:

I have had the honor to receive the Department's circular of Feb. 7th, 1896, with reference to the examination and approval of official bonds, requiring such bonds to be examined and approved as to solvency every two years, and to inform the Department that the subject will receive my prompt attention.

I am, Sir,

Your obedient servant,

J. M. Jernigan

Consul General.

From J. L. Anderson May 28.

No.156.

Consulate General U.S.A.,
Shanghai, 10 Apr., 1896.

Mr. Jernigan

To:-

The Department of State,

SUBJECT:

Acknowledgement of the receipt of Department's circular dated 7th Feb., 1896. with reference to official bond.

No.157.

CONSULATE GENERAL OF THE UNITED STATES,

Shanghai, 10 April, 1896.

Hon. Edwin F. Uhl,

Assistant Sec'ty of State,

Washington, D.C.

Dec

S I R:

I have had the honor to receive a copy of volume No.159 of the United States Supreme Court Reports for the official use of this Consulate General.

I am, Sir,

Your obedient servant,

W. R. Jernigan

Consul General.

No.157.

Consulate General U.S.A.,
Shanghai, 16 April, 1895.

Mr. Jernigan

To--

The Department of State.

SUBJECT:

Acknowledgement of the receipt of Vol.159 of the U.S. Supreme Court Reports.

No.158.

CONSULAR BUREAU NOTED

CONSULATE GENERAL OF THE UNITED STATES,

Shanghai,16 April,1896.

Hon.Edwin F.Uhl,

Assistant Secretary of State,

Washington,D.C.

INDEX BUREAU REC'D. MAY 18 1896 DEPT. OF STATE

S I R:

I have the honor to enclose herewith the marriage certificate of David Wells Herring's marriage to Alice Jane Rea,on the 13th of April,1896.

Mr.Herring is an American citizen;Miss Rea was a subject of Great Brittain,born in Sidney,Australia.

I am,Sir,

Your obedient servant,

J.R.Jernigan

Consul General.

Enclosure;

1.Marriage certificate noted above.

No.158.

Consulate General U.S.A.,

Shanghai,16 April,1896.

Mr.Jernigan

to

The Department of State

Subject:

Enclosing marriage certificate;Mr.Herring to Miss Rea.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA April 13 1896

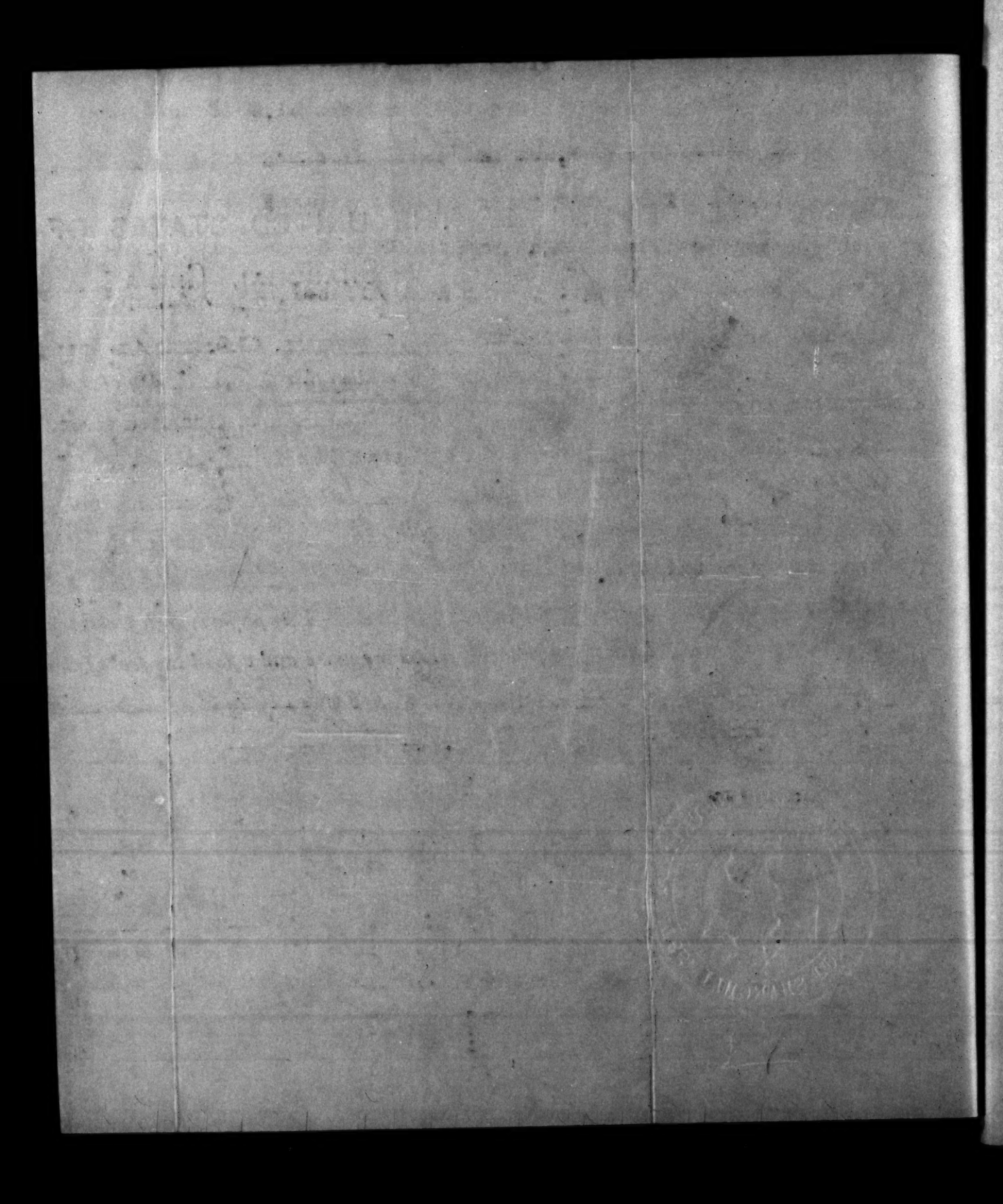
I, J. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, do hereby certify that on this 7th day of April A.D. 1896, at the London Mission in SHANGHAI David Wells Herring aged 37 years, born in Daughton N.C. and now residing in Shanghai and Alice Jane Rea aged 36 years born in Sydney Australia and now residing in Shanghai China were united in marriage before me, and in my presence, by Rev. W. Muirhead D.D. who is authorized by the laws of England to perform such a ceremony.

CONSULAR BUREAU.

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI this 13th day of April, A.D. 1896, and of the INDEPENDENCE OF THE UNITED STATES the 119th

J. R. Jernigan

U. S. Consul General.



No. 158. 6is

S

ASSISTANT SECRETARY
JUN 11 1896
DEPARTMENT OF STATE.

Consulate General of the United States,

Shanghai, 28 April, 1896.

Ans 6/16/96

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

INDEX BUREAU
REC'D.
JUN 11 1896
DEPT. OF STATE

S I R:

I have had the honor to receive your No. 68, of March the 13th, directing my attention to the vouchers for interpreter, signed by John R. Hykes, acting interpreter, and rendered by me under date of Dec, 31, 1895, with instructions to inform the Department if Mr. Hykes served every day in the quarter and if he received the entire amount charged.

Since the resignation of Mr. Walter S. Emens, as interpreter of this Consulate General, Mr. John R. Hykes has acted as interpreter, and has daily discharged the duties of the office. The interpreter is so intimately connected with the Land Office that he and the Vice Consul General, Mr. I. Erwin Avery (who attends to the Land Office), have an understanding as to the fees of that office and the salary of the interpreter, which is satisfactory to them, and works to the efficient promotion of the duties pertaining to each, but the salary is paid as by th e voucher rendered. Frequently such papers as are properly presented to be recorded in the Land Office have counterparts or endorsements in the Chinese langauge, necessary to be interpreted before being intelligently understood, and this requires the daily attendance of the interpreter, and shows his close connection with the Land Office, in addition to the need for his services in other respects. The arrangement indicated has thus far resulted so satisfactory that I have not thought it necessary to interfere, allowing the officers named to balance their respective duties in the way best expediting the business of their department and pleasing to them. For myself, I receive only what the law prescribes as my salary, and what the notarial sheet of my returns shows to be the un-

official

Consulate General of the United States,

Shanghai, April 20, 1909.

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

SIR:

I have the honor to receive your No. 665, of March 11th, directing my attention to the vouchers for interpreter, stamps by John R. Hykes, acting interpreter, and rendered by me under date of Dec. 31, 1908. With instructions to inform the Department if Mr. Hykes served every day in the quarter and if he received the entire amount charged.

Since the resignation of Mr. Walter S. Hykes, as interpreter of this Consulate General, Mr. John R. Hykes has acted as interpreter, and has daily discharged the duties of the office. The interpreter is so intimately connected with the Land office that he and the Vice Consul General, Mr. I. Irwin Avery (who attends to the Land Office), have an understanding as to the fees of that office and the salary of the interpreter, which is satisfactory to them, and works to the efficient promotion of the duties pertaining to each, but the salary is paid by the voucher rendered. Frequently such papers as are properly presented to be recorded in the Land Office have counterparts or endorsements in the Chinese language, necessary to be interpreted before being intelligently understood, and this requires the daily attendance of the interpreter, and shows his close connection with the Land Office, in addition to the need for his services in other respects. The arrangement indicated has thus far resulted so satisfactorily that I have not thought it necessary to interfere, allowing the officers named to balance their respective duties in the way best expediting the business of their departments pertaining to them. For myself, I receive only what the law prescribes as my salary, and what the notarial sheet of my returns shows to be the un-

official

official fees of the Consulate General.

When I wrote the Department that I would be "able to get along", I meant that I could get along without then nominating a successor to Mr. Emens, having the promise of Mr. Hykes that he would act until a suitable candidate could be found.

In my No. 148, of Feb. 18, I request the Department to appoint a regular interpreter, as Mr. Hykes had informed me that he could not act much longer. I regret that I was not clear in conveying my meaning to the Department.

I am, Sir,

Your obedient servant,

W. Jernigan

Consul General.

Consulate General U.S.A.,
Shanghai, 28 Apr., 1896.

Mr. Jernigan

to

The Department of State.

Subject:

Mr. John R. Hykes, the
Acting Interpreter.

No. 259 158

No. 159. ack. July 2. 96.

Consulate General of the United States,

Shanghai, 30th April, 1896.

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

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ASSISTANT SECRETARY JUN 11 1896 DEPARTMENT OF STATE.

Se'nstructions to Consuls in China 3/31 1898

S I R:

I have had the honor to receive you No. 65, of Feb. 10, enclosing a copy of instructions to Consul Fowler, at Ningpo, that the present practice of certifying invoices at Shanghai would be continued, and inquiring in regard to "transit passes", the nature of the certificate, the number issued last year at Shanghai, and the fees collected by me in connection therewith.

With reference to the "transit passes" I have the honor to state that they are not required by Chinese regulations, but are issued on special application to the Chinese authorities, made by the foreigner, desiring them, through his Consul or Consul General, and such paper gives the foreigner the privilege of shipping merchandise, purchased at an interior port, to a treaty port, or merchandise from a treaty port to an interior port; and such merchandise is exempt from local taxation, and only subject to the duties according to the tariff rates provided in the treaties. Secretary Rockhill will understand that the passes are obtained by the foreigners as a matter of convenience and to avoid the payment of Likin duties on the routes to and from the interior ports.

The number of transit passes issued for the fiscal year ending June 30, 1895, was 57, and the fees received amounted to $135.61. The number issued from July 1st, 1895, to March 31, 1896, was 66 and the fees amounted to $136.14. The fee by all my predecessors has been retained and allowed as unofficial, and up to the 19th of March, 1895, the sum of $2.50 was charged for each pass. Since that time the rate has been reduced to $4.00, Mexican, for each pass.

I am, Sir, Your obedient servant,

W. Jernigan

Consul General.

No. 157

Consulate general U.S.A.,

Shanghai, 30th April, 1896.

Mr. Jernigan

to

The Department of State.

Subject:

"Transit Passes".

confirmed May 12. 96.

INDEX BUREAU REC'D. MAY 10 1896 10 AM DEPT. OF STATE.

ASSISTANT SECRETARY MAY 11 1896 DEPARTMENT OF STATE.

Consulate General of the U.S.
Shanghai, May 10. 1896.

No. 8.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

ALL CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FOUR ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:

All Offices (21,000) of the Western Union Telegraph Company and its Connections.

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LONDON: No. 21 Royal Exchange, E. C. No. 109 Fenchurch Street, E. C.
LIVERPOOL: A5 Exchange Buildings.
GLASGOW: No. 29 Gordon Street.
BRISTOL: Backhall Chambers.

NUMBER	SENT BY	REC'D BY	No. OF WORDS.	FROM
403	Jm	10	Shanghai	

RECEIVED at 1204 am May 10th 1896

Rockhill
Washington (DC)

Hixon
Sireson answers report ready
Mail twelve days

Jernigan

Con Bur file.
Confirm

Orig

No.159

S

File

Consulate General of the United States,

Shanghai, 11 May, 1896.

Hon. W W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

ASSISTANT SECRETARY
JUN 11 1896
DEPARTMENT OF STATE.

INDEX BUREAU
REC'D.
JUN 11 1896
DEPT. OF STATE

File

S IR:

I have the honor to confirm the following telegram received from you on the morning of May the 9th, at 8:30:

"Has Hixson's report on Kutien been "mailed? Delay most troublesome".

As soon as the above cablegram was received I wired Consul Hixson as follows:

"Department cables delay sending your "report most troublesome. When ready?"

Within a few hours Consul Hixson answered:

"Ready twelve days".

I then cabled you:

"Hixson answers report ready mail twelve "days"

I have, more than once, impressed upon Mr. Hixson the importance of completing his report and mailing it, and I have advised him to sign Captain Newell's report, noting any difference of opinion he might have, so that the Department might have the joint report, with Mr. Hixson's notes, the latter indicating his dissent, thus foreshadowing the substantial basis of his own report.

The suggestion in one of my cablegrams that Mr. Hixson be instructed to come here, was submitted because I had been reliably informed that his physical and mental condition incapacited him ~~from~~ consecutive work, and I thought that I might aid him in writing out his notes, and this I would have done with great pleasure, for I appreciated the wish of the Department for promptness in the matter. At the time I submitted the suggestion Captain Newell was here, and was likely

No.159.

Consulate General of the United States,

Shanghai, 11 May, 1898.

Hon. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

Sir:

I have the honor to confirm the following telegram received from you on the morning of May 9th, at 8:30:

"Has Mixon's report on Kutien been mailed? Delay most troublesome".

As soon as the above cablegram was received I wired Consul Mixon as follows:

"Department cables delay awaiting your report most troublesome. When ready?"

Within a few hours Consul Mixon answered:

"Ready twelve days".

I then cabled you:

"Mixon answers report ready twelve mail days"

I have more than once impressed upon Mr. Mixon the importance of completing his report and mailing it, and I have advised him to sign Captain Newell's report, noting any difference of opinion he might have, so that the Department might have the joint report, with Mr. Mixon's notes, the latter indicating his dissent, thus forestalling the substantial basis of his own report.

The suggestion in one of my cablegrams that Mr. Mixon be instructed to come here, was submitted because I had been reliably informed that his physician had counselled him against undue exposure from consecutive work, and I thought that I might aid him in writing out his notes, and this I would have done with great pleasure, for I appreciated the wish of the Department for promptness in the matter. At the time I submitted the suggestion Captain Newell was here, and was likely

likely to remain for several weeks.

I have urged promptness on the part of Consul Hixson, but he has been a very sick man, and, in consequence, has not been able to apply himself; and the unusual wet weather prevailing at Foochow has retarded improvement in his condition. The health of the foreign residents of Shanghai has never been so bad as within the past year.

I am, Sir,

Your obedient servant,

M. Jernigan

Consul General.

No.159.

Consulate General U.S.A.,

Shanghai 11 May,1896.

Mr.Jernigan

to

The Department of State

Subject:

Consul Hixon's Report. Con-

firming cablegrams

S

No.168

Consulate General of the United States,

Shanghai, 13 May, 1896.

Hon. W W. Rockhill,

Assistant Secretary of State,

Washington.

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ASSISTANT SECRETARY JUN 11 1896 DEPARTMENT OF STATE.

S I R:

I have the honor to enclose the report of the Commissioner of Customs at Chunking.

As the Diplomatic and Consular appropriation bill provides for the pay of a Consul at Chunking, the report may now be of more special interest.

The Commissioner, Mr. Woodruff, is an American citizen, and, I am sure, would be pleased to aid in making all necessary arrangements preparatory for the new Consul.

I am, Sir,

Your obedient servant,

Consul General.

Enclosure; 1, noted above.

09T'ON

No.160

Consulate General U.S.A.,
Shanghai 15th May,1894.

Mr.Jernigan
to
The Department of State.

Subject:
Enclosure of Report of Commissioner of Customs at Chunking.

Enclosure:-

I have the honor to enclose the report of the Commissioner of Customs at Chunking.

As the Diplomatic & Consular Appropriation bill provides for the pay of a Consul at Chunking, the report may now be of more special interest.

The Commissioner,Mr.Woodruff,is an American citizen,and,I am sure,would be pleased to aid in making all necessary arrangements preparatory for the new Consul.

I am,

Your obedient servant,

Enclosure:-As noted above.

Copy to:-

Consulate General of the United States,

Shanghai,15 May,1894.

Hon.W.Q.Gresham,

Assistant Secretary of State,

Washington.

Sir:

I have the honor to enclose the report of the Commissioner of Customs at Chunking.

As the Diplomatic & Consular Appropriation bill provides for the pay of a Consul at Chunking, the report may now be of more special interest.

The Commissioner,Mr.Woodruff,is an American citizen,and,I am sure,would be pleased to aid in making all necessary arrangements preparatory for the new Consul.

I am,

Your obedient servant,

Enclosure:-As noted above.

declare legitimate the issue of marriage with a deceased wife's sister contracted in the colonies, though, he added, the bill was not likely to be passed this session.

Adelide, 30th March.—A terrible coal mine explosion has occurred at Brunnen, near Greymouth, New Zealand. Sixty men are entombed, representing some two hundred dependent women and children. A number of dead bodies have been recovered by the relief parties, who are working most heroically. A public subscription has been started for the relief of the entombed men's families, and is being liberally responded to. The disaster is the worst of the kind ever recorded in the colonies, and the probability of any of the men being rescued alive is a very faint one.

CHUNGKING.

BUSINESS QUARTER AND MOORING GROUNDS 1896.

The following, from the I.M. Customs Statistical Department, was received by us last night, and we reprint it in full:—

In view of the Shimonoseki stipulation opening Chungking to steam traffic, the Customs there have reported on the local conditions of the business quarter of the city and the mooring grounds, etc. These notes are now published in the accompanying Paper:—

THE walled city of Chungking (*see* plan appended) is built on a ridge of rock that mounts some 300 or 400 feet from the water's edge, its highest point midway between the Nan-chi and T'ung-yüng gates, and ends a narrow peninsula between two rivers, where the Chia-ling Ho, generally called the Little River, joins the Yangtze. Across the Little River at the point of junction is the small district capital of Chiang pei-t'ing. The surrounding country is on the right bank, of high hills, on the left bank, of low hills. 10 miles down river the T'ung-lo Gorge begins.

The space within the city walls is closely covered with substantial buildings. The streets are fairly wide and well paved, but too often muddy and slippery from wet weather or the carrying of water from the rivers. Many of them are necessarily very steep, with long flights of stone steps; with which also the jetties outside the gates are supplied.

The suburbs are less extensive than usual in Chinese cities, there being little room between the wall and the rivers. In freshets they are more or less submerged, the junks mooring among the house-tops.

THE BUSINESS QUARTER.

The table appended gives details regarding the principal business streets and the articles therein dealt in; Opium is not mentioned, as that for export is not taken inside the walls, because of the Likin tax at the gates.

As the plan shows, the busiest quarter is in the lower city, on the Yangtze side.

An elaborate sketch map of the city will be found in the Chungking Report, published in the Customs "Decennial Reports, 1882—91."

The local manufactures described in the Decennial Report are not of great importance, but include inferior Glass and Matches.

On land cargo is carried by companies, of porters, each company having its own district. A table, kindly supplied by a firm in the Shan-hsi-kai (chieh), is given as an illustration of the charges between street and cargo-boat or the reverse.

Package Weighing

on the 22nd, 31; on the [illegible] 43; on the 27th, 59; on the 28th, 76; on the 29th, (nearly) 82; on the 30th, 68; on the 31st, 58. The freshet temporarily destroyed the lower part of the suburbs outside the T'ai-p'ing and other gates [illegible] the Ch'ao-t'ien suburb nearly up to the gate; the water in places reached the base of the city wall. The banking up of the water when the two rivers, both in flood, met checked the current above the junction, so junks lay in security at their moorings; but the T'unglo Gorge, just below, was reported very dangerous for boats. Little or no shipping work was done during the worst, perhaps partly from apprehension of sudden changes in the current.

When only one of the rivers is in flood, the reach of the other, off the city, is sometimes like a mill-pond, until the slackening of the freshet allows the water to run off, when the current becomes very strong.

It is reported that in the great flood of 1870 the river rose to a height of some 120 feet above zero. Our own record is as follows:—

Year.	Lowest.	Month.	Highest.	Month.
	Ft. in.		*Ft. in.*	
1891	...0 0	March.	65 0	July.
1892	...0 7*	"	96 8	"
1893	...1 2	Feb.,	67 0	August.
1894	...1 2	"	54 4	October.
1895	...0 1	March.	81 6	July.

*Below zero.

The mooring grounds named below are numbered in conformity with the other plans on record. The plan is not drawn to scale and is only approximate. No thorough survey has been made of the port, and no soundings have been made recently. The experience has been only with junks.

The harbour limits for Foreign-owned and chartered junks are the T'ai-p'ing Ferry and the Tan-tzu-shih Point, on the south bank; but they are permitted to moor at Wang-chia-t'o and elsewhere in the port.

I. *The T'ai-p'ing Gate Jetty.*—The approach from down river is made difficult in low water by a bank of shingle abreast the Tung-shui gate and by a bank and reef on the opposite shore, causing a strong current, which decreases as the water rises. The space is limited; the current is strong 200 feet out from shore. The holding ground is sand and mud, with no obstructions, such as rock, known. The two jetties are made use of chiefly by officials travelling and for Native traffic.

II. and III. are the Shih-tzu-shan, Yeh-mao-hsi, and Wu-kuei shih mooring grounds. The Customs Jetty (a pontoon) is stationed here. Until the river rises to 10 feet, boats from down river have to cross below the Wu-kuei reef to Mu-kuan-t'o, thence proceed to nearly half-way between the Ch'ao-t'ien and Tungshui gates, and then re-cross to Shih-tzu-shan. The banks are steep-to, so it is easy to moor to shore. The holding ground is rock and cobble stones.

Some parts, though not all, of these three mooring grounds are quiet and frequented all the year round.

IV. *Mu-kuan-t'o.*—The space is large. The holding ground is sand and mud. There is an up-river eddy, that seems to be constant, towards the mouth of Little River. Little River freshets increase this eddy, but, so far as observed, not sufficiently to prevent working cargo. When the Yangtze overflows the reef at the foot of the anchorage the whirls leave only a quiet place close to the shore.

V. *Ma-liu-wan*, in the Little River, is much frequented by junks in low water; in freshets it looks dangerous. The descent to it from the city gates is very steep. The summer mooring

Name of Gate.	1.60 ft. and under	Over 1.60 and 2.00 ft.	2.00 ft. and under 2.30 ft.	2.30 ft. and upwards
	Cash.	*Cash.*	*Cash.*	*Cash.*
Ch'ao-t'ien...	40	80	120	160
Ch'ien-ssu ...	50	100	150	200
Lin-chiang...	72	144	216	288
T'ung-yuan...	100	200	300	400
Nan-chi	96	192	288	334
Chin-tzu.. ...	84	168	252	386
Ch'a-ch'i ...	72	144	216	288
T'ai-p'ing ...	64	128	192	256
Tung-shui ...	48	96	144	192

The cargo-boats also belong to associations. They are open boats, varying in length from 30 to 50 feet and in carrying capacity from 200 to 450 piculs and are generally supplied with mats or thin oil-cloths for the protection of the goods.

Sampans are used for small shipments.

The charges are from 20 to 40 cash a package; if the boat is not full, an extra charge may be made.

THE MOORING GROUNDS.

Although these are generally called anchorages, owing, among other causes, to the great and sudden changes in the river, junks do not anchor, but, instead, moor to the shore; and steamers, when they come, may have to do the same.

The July 1895 freshet will illustrate these sudden changes. On the 9th the water was 24 feet (*i.e.*, above zero—the lowest water mark in 1891, the year the port was opened); on the 16th, 44 [illegible] shore is dry ground in winter.

VI. *Wang-chia-t'o.*—There is good shelter in low water; but in high water the space is limited, it holding about 70 junks. The holding ground is apparently rock. Sailing craft (including the numerous local boats supplying the city market), under sail or tracking, bound up to Chungking or beyond invariably pass this mooring place close in and just above it cross to the opposite (left) bank.

VII. *Liang-t'o.*—The holding ground is sand, mud, and cobble. The mooring ground is extensive and much used in the low water season, but after the reef at its top is covered by the summer floods it is too unsafe for use.

A description of the river and overland routes from Ichang will be found in "Ichang to Chungking: 1890."

These notes, a supplement to the above and the Chungking Trade Report, 1891, have been compiled from Customs publications and records and from papers prepared by Messrs. Mayers and Carruthers on the business quarter and by Harbour Masters Lovatt and Stebbins on the mooring grounds.

F. E. Woodruff,
Commissioner of Customs.

Custom House,
Chungking, 14th December 1895.

A Royal Romance.—It is said that a certain young English princess is shortly to marry a well-born but poor officer in the [illegible]

No.161

ASSISTANT SECRETARY
JUN 11 1896
DEPARTMENT OF STATE

Act June 13

Consulate General of the United States,

Shanghai, 13th May, 1896.

Hon. W W. Rockhill,

Assistant Secretary of State,

Washington, D.C,

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REC'D.
JUN 1896
DEPT. OF STATE

S I R:

I regret to feel it my duty to bring to the attention of the Department the condition of Marshal Shufeldt.

At one time it was hoped that Mr. Shufeldt had so mastered himself as to successfully resist the habit of indulging in strong drink, and although for some time he has not been qualified for his official duties, his associates in this Consulate General have been willing to aid in that regard to give him every opportunity for reformation.

I am gratified to state to the Department that Mr. Shufeldt sincerely desires to reform and has earnestly endeavored to reform, but I fear that so long as he remains in Shanghai he will be powerless to reform.

I have counselled Mr. SHufeldt as a friend and as the head official of this Consulate General, but without avail.

The Consul at Nagasaki is a relative of Mr Shufeldt, and whenever he is with the Consul any length of time he seems to improve, and were he sent to Nagasaki as Marshal he might, under the care of ~~Nagasaki~~ Dr. Abercrombie, recover.

Mr. Shufeldt is kindly disposed, always willing to do what he can, and this is why I have so long deferred writing this despatch; but my patience and sense of official propriety are exhausted.

As the Department knows that a Vice-Consul General has no salary allowed by law, it might be convenient to arrange for that official here to be the Marshal.

I am, Sir, Your obedient servant,

W. Jerrems

Consul General.

No.161.

Consulate General U.S.A.,
Shanghai 13th May,1896.

Mr.Jernigen
to
The Department of State,

Subject:
The Condition of Marshal Shufeldt.

(162)

No.162.

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RECD.
NOV 27 1896
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Consulate General of the United States,

Shanghai, 21 May, 1896.

Hon. W. W. Rockhill,

Assistant Sec'ty of State,

Washington.

Ill

S I R:

I have the honor to acknowledge the receipt of the Department's Circulars, as follows;

Circular of March 17, instructing that communications to the Department should be in the form of despatches addressed to the Assistant Secretary of State.

Circular of March 18, instructing that terms of measure, weight and money, should be stated in the terms of measure, weight and coin of the United States, as well as in the foreign terms.

Circular of Mch 20, advising that an inspection will be made, during the current year, of the Consulates and Agencies of the United States.

Circular of March 20, with reference to the hectograph copies of invoices.

The instructions contained in these Circulars shall have due attention.

I am, Sir,

Your obedient servant,

W. Jerrican

Consul General.

No.162.

Consulate General U.S.A.,
Shanghai, 21 May,1896.

Mr.Jernigan,
to
The Department of State.

Subject:
Acknowledgement of receipt of Department's Circulars dated March,17,18,20,and 20.

No.163.

REPORT FILED IN Bureau of Statistics, FOR PUBLICATION.
BUR. OF STATISTICS ACKNOWLEDGED JUN 25 1896

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Consulate General of the United States,

Shanghai, 22nd May, 1896.

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington.

S I R:

In compliance with the Department's circular of Feb. 15, inquiring with reference to the best location in China for the establishment of a large factory for the production of starch sugar from rice, I have the honor to enclose a report on the subject.

I have the honor to be,

S I R,

Your obedient servant,

M. Jerrican

Consul General.

Enclosure: 1; above mentioned report.

No.163.

Consulate General U.S.A.,
Shanghai 22nd May,1896.

Mr.Jernigan,
to
The Department of State.

Subject:
Enclosing a report on
RICE IN CHINA.

No.164.

S

Consulate General of the United States,

Shanghai 29 May,1896,

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

Bill

S I R:

I have ~~the~~ had the honor to receive your No,70,of Aprilthe 7th,informing me that Volume 160 of the United States Reports had been sent under separate cover for the official use of this Consulate General. The Report has been received.

I am,Sir,

Your obedient servant,

M. Jerricoan

Consul General,

No.164.
Consulate General U.S.A.,
Shanghai, 29 May, 1896.

Mr. Fernigan,
to
The Department of State.

SUBJECT:

Acknowledging receipt of Vol. 1
160 of the United States Re-
ports.

No.165.

ack. July 8. 96.

Consulate General of The United States,

Shanghai, 29 May, 1896,

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington.

S I R:

In my No. 161, of May the 13th, I had the honor to bring to the attention of the Department the condition of Marshal Shufeldt of this Consulate General.

Mr. Shufeldt appears to be so much distressed, and has made such an earnest pledge that he intends that there shall be no more cause for complaint that I respectfully request the Department not to take any action in the matter.

I have informed Mr. Shufeldt that I have made this request of you expressly upon the condition that if his present habits were repeated in the future I would avail myself of the most summary proceedings provided by the Regulations to protect this Consulate General.

I am, Sir,

Your obedient servant,

M. Jernigan

Consul General.

No.165.

Consulate General of the United States,

Shanghai, 29 May, 1896.

Mr. Jernigan

to

The Department of State.

Subject:

Mr. Shufeldt, the Marshal of this Consulate General.

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 5 June, 1896.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington.

S I R:

About the first of May Consul Hixson sent me the accompanying report, requesting that it be mailed to Captain Jno.S.Newell, of the "Detroit", and when returned to me by Captain Newell, then to be mailed to you.

I received the report from Captain Newell this morning, and mail it this afternoon to you.

I am, Sir,
Your obedient servant,

W. Jennings
Consul General.

Hon--

Enclosures; 1, the report above mentioned. (See No 166 from Fuchau).

No. 166

CONSULATE GENERAL U. S. A.,

Shanghai, China June 5th 1896.

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

Enclosing Consul Jesson's #- and Commander Newell's Joint Report on Pirates

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S

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, Mar 5 June, 1896.

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REPORT FILED IN Bureau of Statistics FOR PUBLICATION

BU. OF STATISTICS ACKNOWLEDGED JUL 13 1896

ASSISTANT SECRETARY JUL 11 1896 DEPARTMENT OF STATE

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington.

S I R:

I have the honor to enclose a report on the trade of China for 1895.

I am,Sir,

Your obedient servant,

Consul General.

Enclosure;1,Report above mentioned.

CONSULATE GENERAL U. S. A.,

Shanghai, China June 5th 1896.

Mr. JERNIGAN,

the Department of State.

To ~~the Department of State~~

SUBJECT:

Enclosing a Report of Trade in China for 1895.

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S CONSULAR BUREAU. NOTED. Note

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 5 June, 1896.

Hon.W.W.Rockhill,

Assistant Secretary of state,

Washington.

S I R:

I have the honor to enclose two marriage certificates:

1.-The marriage of Augustus Bell to Marguerite Nunn;

2.-The Marriage of John Burrus Fearn to Anne Walter.

I am,Sir,

Your obedient servant,

M. Fearn

Consul General.

Enclosure;2 above mentioned.

CONSULATE GENERAL U. S. A.,

Shanghai, China June 5th 1896.

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

Enclosing #

Marriage Certificate

Bell & Nunn

Jean & Walter

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA April 18th 1896.

I, J. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, do hereby certify that on this 18th day of April A.D. 1896, at the Church of the Sacred Heart in SHANGHAI John Augustus Bell aged 24 years, born in Hankow China, and now residing in Shanghai and Marguerite Nunn aged 18 years born in Shunkiang China and now residing in Shanghai China were united in marriage before me, and in my presence, by Father J. M. Lorail who is authorized by the laws of France to perform such a ceremony.

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI *this* 18th *day of* April, *A.D.* 1896, *and of the* INDEPENDENCE OF THE UNITED STATES *the* 119th

J. R. Jernigan

U. S. Consul General.

CONSULAR BUREAU.
NOTED.

CONSULATE GENERAL U. S. A.,

Shanghai, China June 5th 1896.

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

Enclosing #

Marriage Certificate

Bell & Nunn

Jean & Walter

CONSULAT

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA April 28 1896

I, J. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI do hereby certify that on this 28th day of April A.D. 1896, at Southern Methodist Mission in SHANGHAI John Burns Teague aged 24 years, born in Jackson Mississippi, and now residing in Soochow China and Anne Hatley aged 30 years born in Oxford Mississippi and now residing in Soochow China were united in marriage before me, and in my presence by Rev. D. L. Anderson who is authorized by the laws of United States to perform such a ceremony.

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI *this* 28th *day of* April, *A.D.* 1896, *and of the* INDEPENDENCE OF THE UNITED STATES *the* 119th.

J. Jernigan

U. S. Consul General.

CONSULAR BUREAU. NOTED.

No.-------

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NOT TO BE PUBLISHED OR COPIED FOR PUBLICATION

SPECIAL AGENTS FOREIGN COMMERCE GIVEN TO PRESS. DEPT. OF STATE Aug. 4-97

Consulate General of the United States,

Shanghai, 29th June, 1897.

Hon. W.W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

Confl

S I R:

I have the honor to enclose a report on the opening of the West River.

I am, Sir,

Your obedient servant,

W. Derrickson

Consul General.

One enclosure.

No. ------- Desp't-97

Consulate General of the United States,

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Consul General.

One enclosure.

Consulate General U.S.A.
Shanghai, China
June 29 1897.

Mr. Flanagan.

To Department of State
Washington D.C.

Opening of West River
to Foreign Trade.

FOR PUBLICATION

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Nov XXVI

GIVEN TO PRESS, DEPT OF STATE Aug 4-97

Ack

Rivers in China

OPENING OF ~~THE WEST RIVER~~

On the 3rd. of June, 1897, the West River, or Si Kiang, as it is called in Chinese, was opened to foreign trade as far as Wuchow Fu, a city of some 50,000 or 60,000 inhabitants, situated just within the Eastern border of Kwangsi Province, 200 miles West of Canton, and at the junction of the Kwei Kiang or Cassia River with the West River.

This city has been declared an open port, as well as has one other, Sam Shui, located about 40 miles West of Canton, where the West River is joined by the North River. Four other cities are made ports of call, two of them, Kongmoon and Komchuk, lying near the mouth of the river and commanding the trade of the islands situated there, which are among the most fertile and populous in all China.

On the evening of the 4th of June, the S/S "Wing Tong", of the China Navigation Co., (Messrs. Butterfield & Swire, Agents) left Hongkong for Wuchow, the first steamer to disturb the primitive quiet of those regions. The distance from the mouth of the river at Macao to Wuchow is probably 250 miles. The water is shallow and is said to be unsafe for vessels drawing more than 8 ft. The channel is as yet unsurveyed, and there are many rocks, but preparations are no doubt already made for placing the lights and buoys that will be needed.

The West River is the chief branch of the Pearl, or Canton, River, and with the remaining tributaries, the East and North Rivers, forms one of the most important river systems of China, draining a territory of not less than 200,000 square miles.

The East and North Rivers furnish water communications with a great part of the Province of Kwantung, while the West River, with its many affluents, penetrates to every quarter of Kwangsi, and to the eastern portion of Yunnan, and the southern part of Kweichow. The principal stream is said to be navigable for 700 miles. At Wuchow Fu, as noted above, it is joined by the Cassia River, which communicates with Kweilin, or the Cassia Grove, the Capital of the Province. Still further up the Hsiun Yung enters, at Hsiunchow, and 310 miles above Wuchow, at the important city of Nanning,

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the river loses its own name and divides again, the Tso Kiang coming from the south west and the Yu Kiang from the north west.

At present Wuchow is the limit of steamer traffic, and the Commissioner of Customs at Lungchow, has expressed the opinion, that it will not be found practicable for steamers to ascend above Wuchow, owing to the numerous rapids and rocks. Native boats, however, ply regularily to Pehseh, on the borders of Yunnan, some 700 miles from the confluence of the West and Pearl Rivers, and the smaller craft indeed ascend a hundred miles further.

The opening of this important artery of trade, has been under discussion for some years past, and is the result of persistent application by the British Authorities. It is hoped that it will result in developing a profitable trade with many parts of Kwangsi, and the neighboring provinces, a region which has so far been all but untouched by foreign commerce. Heretofore this natural channel of trade has been almost wholly closed by the prohibitive exactions of the numerous likin stations, of which ~~in 1890,~~ there were in 1890 no less than 15 or 16 between Canton and Nanning, a distance of about 510 miles. As a result, what little trade there was with the outside world, was carried on by unnatural and circuitous routes, much coming from Hankow, some 1200 miles distant, on the upper Yangtse. In 1890, Taels 95,000 worth of goods, were received at Kweiling, by this route. In 1877, the port of Pakhoi on the South West coast of Kwangtung was opened, ~~since which~~ a large trade has since grown up with that port, from which goods ~~were~~ are conveyed, a portion of the way by water, and the remainder at a considerable cost overland, to Nanning. Kwangsi itself has no coast line. From Nanning the goods are distributed through western Kwangsi and Eastern Yunnan. The trade of Pakhoi in 1895, amounted to Hk. 3,813,063 (Hk. 18,050,460 A trade suffered in 1911; the figures for 1893 are given in Hk. 4,275,707) ---------- Of ~~which~~ the greater part, perhaps must be credited to the region under survey. In 1889, Lungchow, in western Kwangsi on the border of Tonkin, was opened as a result of French diplomacy, with the hope of diverting a part of ~~this~~ the trade to French Indo-China.

To facilitate intercourse the French provincial government began the construction of a railroad, to the border. In 1895, this

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To facilitate intercourse the French provincial government began the construction of a railroad to the border. In 1895 this

road was completed to Langson, within 13 miles of Nachang, from which there is water communication with Lungchow, and last year, by convention with the Chinese Government, it was agreed to carry the road over the border into Kwangsi. So far, however, but a small part of the Kwangsi trade has taken this route. The ignorance of the French language, and the dread of the tariff regulations of Tonkin ~~being~~ and assigned as reasons for the reluctance of Chinese merchants, to try the new route. It appears, too, that no considerable advantage was to be gained in the cost of transportation.

It may appear strange, that, with a treaty provision, existing since 1858, permitting the shipment of goods inland on transit passes by the payment of a small extra tax, at the port of entry, (2½%) the likin stations should have been able to so seriously intefere with the river traffic. Provincial officials in China, however, exercise great authority, and as they depended very largely upon the likin dues, for the support of the local government, they could not consent to give way even where the treaty demanded it, unless some compensation were offered. That this has been the chief obstacle to commerce is shown by the fact that when an arrangement was effected in 1891, by which the granting of transit passes was allowed, the sudden development of trade was startling. This was especially seen in the greatly increased imports of American flour and kerosene, and foreign cotton goods. After a few months, the granting of passes was again forbidden, and trade immediately declined to insignificant dimensions, until 1895, when the privilege was restored and the demand for foreign goods again assumed phenomenal proportions.

Kwahgsi, is one of the most sparsely populated provinces of China. It ranks next to Kansuh in this respect. It contains some 78,250 square miles, and a population estimated in 1890, at 7,500,000 But a small portion of the province is capable of cultivation, the country being ruggod and mountainous. It is not a wealthy province, but the people must not be considered as extremely poor. By the devastation of the Taiping Rebellion, which had its origin in this province, it was largely depopulated, and many of its industries

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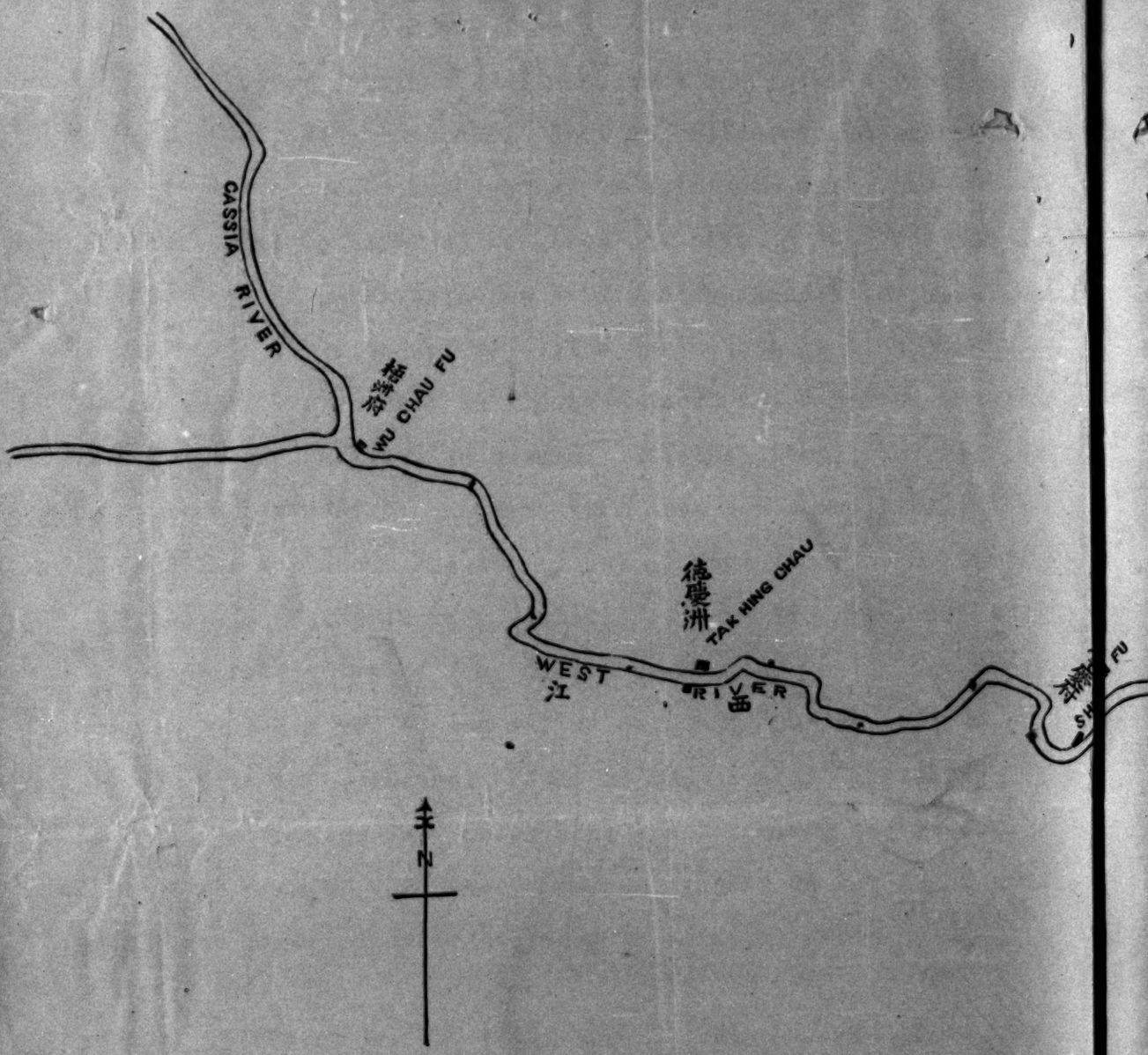
destroyed. These three provinces, lying together in the southwestern corner of China, Yunan, Kwangsi and Kweichow, are alike in this respect, that they are rich in natural resources, inhabited largely by aboriginal tribes, and have been laid waste by rebellion, Yunan by the Mohammedan Rebellion of 1855-1873 from which they have not yet recovered. The mountains of Kwangsi are reported rich in minerals, gold, silver, copper, iron and coal, while Kweichow, in addition to these, has the richest quicksilver deposits known to the world, and Yunan furnishes copper and salt. As yet, however, the mines are but little worked. The other products of Kwangsi are rice, maize, sugar, cassia-lignea, aniseed, aniseed oil, vegetable oil and valuable timber. An attempt has been made recently to revive the silk industry, but without much success. Aniseed trees are cultivated, and the oil drawn off by distillation, a trade which is steadily growing, and which promises to attain very large proportions. In 1894 the trade in aniseed and aniseed oil amounted to Tls 370,926. I have already called attention to the demand for American flour and other products. This demand is on the increase, and with proper attention on the part of those interested, the opening of the West River and the use of transit passes beyond, may be made to contribute very largely to the increase of American trade in south west China.

Chemulpo
June 29 1897

M. Dereiliac
Consul-General

spice. The mark herewith shows the pepper or red pepper which has been observed to be in the trade.



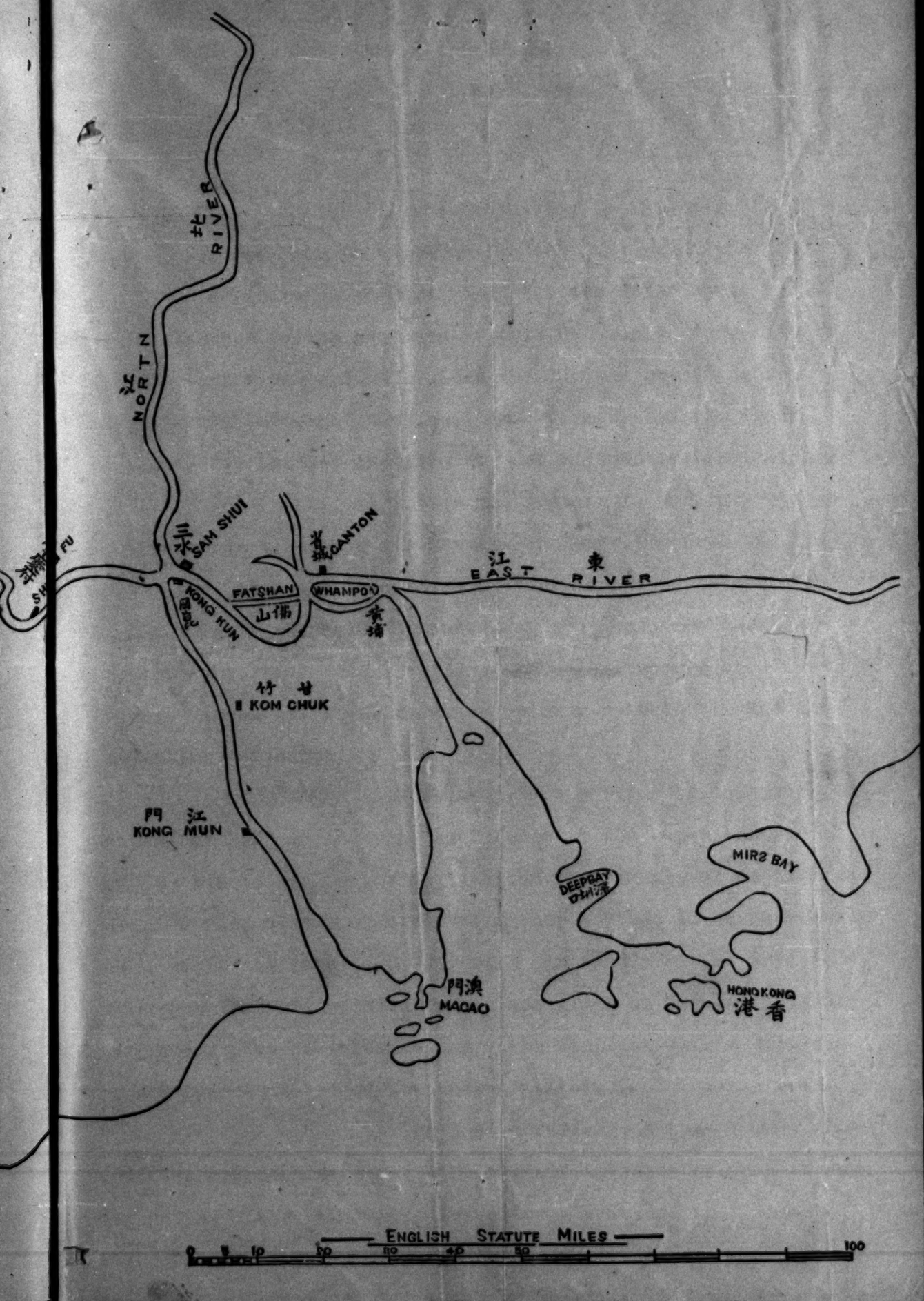
THE SIKIANG OR WEST RIVER

FROM HONGKONG TO WUCHOWFU

Shewing the Ports and Calling Places Opened to Foreign Trade, 1897

169 Date 3 pcs. Ans. Aug. 19. 96.

Consulate General of the United States,



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69 Date 3 July. Ans. Aug. 19. 96.

Consulate General of the United States,

Shanghai, China, 3 July, 1896.

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

Com. Bur

S I R:

I have the honor to inform you that I have received from the Auditor for the State and Other Departments, Mr. Thomas Holcomb, a communication dated April 9, 1896, with reference to the accounts of this Consulate General for the six months ended June 30, 1895, and for the quarter ended September 30, 1895, and in which I am informed that the fees collected for transit invoices are not allowed as unofficial.

I have not written to Auditor Holcomb on this subject, because the Regulations direct Consuls not to make issues with the Accounting Officer of the Departments as to the rule of adjusting accounts, but that when the rule is thought to be erroneously applied the Consul should submit to the Department all differences of opinion between him and the Accounting Officer.

With every respect for the opinion of Auditor Holcomb, and with confidence in the experience which enables him to see, in the application of the rule of adjustment, the nice shades of distinction not obvious to an untrained eye, I would hesitate to differ with him were I not at present convinced that his opinion is not sustained by the most elementary principles of evidence, and is in conflict with a decision of the Supreme Court of the United States,

The Auditor maintains that I must show that the merchandise covered by transit invoices do pass through the United States, while the law clearly provides that when a shipper comes to this office with an invoice covering the merchandise, and makes oath that the merchandise is for shipment

through

[redacted]

Consulate General of the United S[redacted]

Shanghai, China, 3 July, 18[redacted]

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Assistant Secretary of State,

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INDEX BUREAU
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AUG 6 1896
DEPT. OF STATE

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through the United states,I can give him an invoice covering such merchandise,and that the fee for the same is unofficial and belongs to me. The Supreme Court of the United States,as is known,has decided that to be law,and that the fee thus paid is to the Consuls. The Auditor does not controvert the decision of the Supreme Court, but his opinion would nullify it by placing upon me the burden of proving that the merchandise indicated did pass through the United States,a burden evidently impracticable,if not impossible,for me to carry,and which no authority on Evidence has ever imposed,— certainly not since the Declaration of Independence.

The shipper of the transit merchandise makes oath before me that the merchandise is to enter a certain port, named in the United States, and to pass through the United States to an ulterior foreign port;upon thisoath I issue to him the invoice covering thetransit merchandise,and I send a triplicate copy of such invoice to the Commissioner of Customs at the declared port of entry for transit,and I write in the face of the invoice the destination of the merchandise and label the invoice with the same,so that the Customs officer has only to read the back of the invoice to know the transit character of the merchandise. And,in addition,I send to the Auditor a record of fees for the period in question,in which the dates and numbers of the transit invoices are given,the names of the vessels or steamers shipped by,and the places of destination of the invoices;and I respectfully submit that a clearer prima facie case cannot be made out,and one of such conclusive force that to deny it would change the position of the contestants and compelthe denier to shoulder the burden.

If the merchandise certified to before me as being transit,is diverted from its destination the evidence to prove the diversion is before the Auditor and the Customs officials,I have placed it there as records for each,and if it appears if

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CONSULATE GENERAL U. S. A.

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I submit very candidly that it would not be promotive of the trade relations of the United States for the foreign merchants who deal with the United States to have it impressed upon them that the oath made by them before a United States Consul was questioned by the Consul's Government to the extent of having the Consul appear in a very embarassing attitude.

Your experience and intimate knowledge of China and of Diplomatic and consular life enables you to more fully and intelligently understand the bearings of what is herein respectfully submitted.

I have answered Auditor Holcomb's communication, saying that I had written the Department on the subject; and I enclose a duplicate of this despatch for the Auditor.

I have the honor to be,

S I R,

Your obedient servant,

W. Perkins

Consul General.

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Shanghai, China, 1896.

MR. JERNIGAN,

To the Department of State.

SUBJECT:

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Your obedient servant,

Consul General.

CONSULATE GENERAL U. S. A.,

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Consulate General of the United States,

Shanghai, China, 3 July, 1896.

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

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I have not written to Auditor Holcomb on this subject, because the Regulations direct Consuls not to make issues with the Accounting Officer of the Departments as to the rule of adjusting accounts, but that when the rule is thought to be erroneously applied the Consul should submit to the Department all differences of opinion between him and the Accounting Officer.

With every respect for the opinion of Auditor Holcomb, and with confidence in the experience which enables him to see in the application of the rule of adjustment the nice shades of distinction not obvious to an untrained eye, I would hesitate to differ with him were I not at present convinced that his opinion is not sustained by the most elementary principles of evidence, and is in conflict with a decision of the Supreme Court of the United States.

The Auditor maintains that I must show that the merchandise covered by transit invoices do pass through the United States, while the law clearly provides that when a shipper comes to this office with an invoice covering ~~in~~ merchandise, and makes oath that the merchandise is for shipment

through

CONSULATE GENERAL U. S. A.,

Enclosure 1

Consulate General of the United States,

Shanghai, China, July 13, 1896.

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

Sir:

I have received from the Auditor for the State and Other Departments, instructions to adjust accounts rendered to March 31, 1896, and for the quarter ended September 30, 1895, and in which I am informed that the fees collected for transit invoices are returned unmutilated. Opinion and Diplomatic have not written to Auditor directing me to adjust, based upon the Regulations direct Consultant to make liabon with the Accounting Officer of the Departments as to the rule of adjusting accounts, but which the latter is thought to be erroneously applied the matter should submit to the Department all difference of opinion between him and the Accounting Officer. I have the honor to be,

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The shipper of the transit merchandise makes oath before me that the merchandise is to enter a certain port named in the United States and to pass through the United States to an ulterior foreign port; upon this oath I issue to him the invoice covering the transit merchandise, and I send a triplicate copy of such invoice to the Commissioner of Customs at the declared port of entry for transit, and I write in the face of the invoice the destination of the merchandise and label the invoice with the same, so that the Customs officer has only to read the back of the invoice to know the transit character of the merchandise. And, in addition, I now send to the Auditor a record of fees for the period in question, in which the dates and numbers of the transit invoices are given, the names of the vessels or steamers shipped by, and the places of destination of the invoices; and I respectfully submit that a clearer prima facie case cannot be made out, and one of such conclusive force that to deny it would change the position of the contestants and compel the denier to shoulder the burden.

If the merchandise certified to before me as being transit, is diverted from its destination the evidence to prove the diversion is before the Auditor and the Customs officials, I have placed it there as records for each, and if it appears if

through the United states,I can give him an invoice covering such merchandise,and that the fee for the same is unofficial and belongs to me. The Supreme Court of the United States,as is known,has decided that to be law,and that the fee thus paid to the Consuls. The Auditor does not controvert the decision of the Supreme Court, his opinion would nullify it by placing upon me the burden of proving that the merchandise indicated did pass through the United States,a burden evidently impracticable,if not impossible,for me to carry,and which no authority on Evidence has ever imposed, — certainly not since the declaration of Independence.

The shipper of the transit xxxxx merchandise makes oath before me that the merchandise is to enter a certain port named in the United States and to pass through the United states to an ulterior foreign port;upon this oath I issue to him the invoice covering thetransit merchandise,and I send a triplicate copy of such invoice to the Commissioner of Customs at the declared port of entry for transit,and I write in the face of the invoice the destination of the merchandise and label the invoice with the same,so that the Customs officer has only to read the back of the invoice to know the transit character of the merchandise. And,in addition,I now send to the Auditor a record of fees for the period in question,in which the dates and numbers of the transit invoices are given,the names of the vessels or steamers shipped by,and the places of destination of the invoices;and I respectfully submit that a clearer prima facie case cannot be made out,and one of such conclusive force that to deny it would change the position of the contestants and compelthe donier to atould r the burden.

If the merchandise certified to before me as being transit,is diverted from its destination the evidence to prove the diversion is before the Auditor and the Customs officials,I have placed it there as records for such,and

if it appears

if

if it appears, from a comparison of the records, that there has been a diversion, that there has been a false oath taken before me, I do not want the fee, and will promptly conform to the ruling of the Department, reserving the rights I may believe to be mine.

I submit very candidly that it would not be promotive of the trade relations of the United States for the foreign merchants who deal with the United States to have it impressed upon them that the oath made by them before a United States Consul was questioned by the Consul's Government to the extent of having the Consul appear in a very embarassing attitude ~~of a detective~~,

Your experience and intimate knowledge of China and of Diplomatic and consular life enables you to more fully and intelligently understand the bearings of what is herein respectfully submitted.

I have answered Auditor Holcomb's communication, saying that I had written the Department on the subject; and I enclose a duplicate of this despatch for the Auditor.

I have the honor to be,

S I R,

Your obedient servant,

Signed--- T.R. Jernigan.

Consul General.

CONSULATE GENERAL U. S. A.,

Shanghai, China, [illegible] 1896

Mr. JERNIGAN,

To the Department of State.

SUBJECT: [illegible]

No. 170

ASSISTANT SECRETARY
AUG 19 1896
DEPARTMENT OF STATE

Consulate-General, U. S. A.,

Shanghai, China July 24, 1896.

INDEX BUREAU
RECVD.
AUG 19 1896
DEPT. OF STATE

To June
June 7 '97
Bond rec'd
August 21

Mr Jernigan

To the **Department of State.**

Con Rpt,

SUBJECT:

Covering applicant Bond,
Mil-Preparations,

ABSTRACT OF CONTENTS:

CONSULATE GENERAL U. S. A.

No. 170

Consulate-General, U. S. A.,

Shanghai China, July 24, 1896.

Honorable W. W. Rockhill

Assistant Secretary of State,

WASHINGTON, D. C.

Sir:

I have had the honor to receive your No. 73 of June 1st informing me that Mr. J. L. Anderson, one of the sureties to my official bond, desired to be relieved because I had failed to keep a promise made at the time he became such surety.

The promise alleged is that he would sign my official bond, & I have had certain notes he had endorsed for me after my arrival in Shanghai.

He was not then, nor is it now necessary for me to make a promise of any kind to secure the signature or men of the required solvency to my official bond, he is probable that at the time Mr. Anderson signed

[redacted] I expressed the hope of being in a position more favorable to my ability to pay the notes, and this I will do as soon as I am able, as it will be a pleasure to show such a substantial appreciation of the favor of an accommodation, but in no sense to admit the influence of the enmity moving to assail me when to pay him home, and with my face towards duty.

I should be very happy to know that I was alone in financial misfortune, but it is not in the power of anyone to put me on the defense in any transaction involving principles of honor, or indifference to a moral or pecuniary obligation. On that line I fear no one, and invite the most searching scrutiny.

I have contracted no debt, since receiving my commission I have not paid, and it will not be disputed to exhibit a prudent management of my income, directed to execute a bond at once, the one tendered is signed by three men of good standing, and each easily worth several times the amount of the bond.

Enclosure as stated.

I am, Sir, &c
T. R. Jernigan
Revenue Agent

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ack. & copy with orig. ends. to Treasury Aug 21 96

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 23rd July, 1896.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

I have the honor to inform you of the death of Richard Deising,a seaman on board the American ship,"T.F.Oakes",who died on the 12th of March,1896,while he was being carried to the Shanghai General Hospital. The cause of death was Phthisis exhaustion. I enclose a statement of wages and effects of Mr.Deising. Both the balance of wages and effects have been taken home by the Master of the "T.F. Oakes",

I am,Sir,

Your obedient servant,

T.R.Jernigan

Consul General.

One enclosure.

CONSULATE GENERAL U. S. A.,

Shanghai, China July 24 1896

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

Encloses statement of wages and list of effects of Richard Deasing (deceased) seaman on board S.S. "J. Oakie"

U.S. Consulate General

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S

Note

CONSULATE GENERAL OF THE UNITED STATES.

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CONSULAR BUREAU. NOTED.

SHANGHAI, CHINA, 23rd July, 1896.

S

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

I have the honor to enclose:

1,--A certificate of the marriage of Joseph Seymour,an American citizen,to Su Lin,a subject of China,which took place in my presence on the 25th June last;

2.-a certificate of the marriage of Lewis N.Johnson,an American citizen,to Marcella Olsen,also an American citizen,which took plae e in my presence on the 7th inst.

I am,Sir,

Your obedient servant,

Consul General.

ENCLOSURES:Two,above mentioned.

CONSULATE GENERAL U. S. A.

CONSULATE GENERAL U. S. A.,

Shanghai, China July 23rd 1896.

Mr. JERNIGAN,

To the Department of State,

SUBJECT:

Enclosing Certificates of Marriage of Seymour S. Du Sin alias Johnson & Olsen.

5/5 Seymour S. Du Sin alias Johnson & Olsen

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA June 25 1896

I, J. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, do hereby certify that on this 25th day of June A.D. 1896, at the U.S. Consulate General in SHANGHAI Joseph Seymour aged 47 years, born in Saint of Orleans Louisiana and now residing in Shanghai and Du Liy aged 33 years born in Dauton Ohio and now residing in Shanghai China were united in marriage before me, and in my presence, by Rev. A. P. Parker who is authorized by the laws of United States to perform such a ceremony.

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI *this* 25th *day of* June, A.D. 1896, *and of the* INDEPENDENCE OF THE UNITED STATES *the* 119th

CONSULAR BUREAU. NOTED

J. R. Jernigan

U. S. Consul General.

GENERAL U. S. A.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA July 15th 1896.

I, J. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, do hereby certify that on this 7th day of July A.D. 1896, at the Astor House in SHANGHAI Louis M. Johnson aged 36 years, born in Yarmouth Nova Scotia, and now residing in Shanghai China and Marietta Story aged 24 years born in Chicago Illinois and now residing in Shanghai China were united in marriage before me, and in my presence, by Rev. John N. Sykes who is authorized by the laws of United States to perform such a ceremony.

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI *this* 15th *day of* July, *A.D.* 1896., *and of the* INDEPENDENCE OF THE UNITED STATES *the* 119th

J. R. Jernigan.

U. S. Consul General.

CONSULAR BUREAU NOTED

Pr. Acknd. Aug 26

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 24 July, 1896.

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BUREAU OF STATISTICS GIVEN TO PRESS. Aug 20 DEPT. OF STATE.

ASSISTANT SECRETARY AUG 19 1896 DEPARTMENT OF STATE.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

REPORT FILED IN Bureau of Statistics IN PUBLICATION.

S I R:

I have the honor to enclose a brief report with reference to the prospectus of a new industry at Shanghai.

I am,Sir,

Your obedient servant,

W. Jerniçan

Consul General.

ENCLOSURE:one,above noted.--

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Pr.

Acknd. Aug 26

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 24 July, 1896.

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BUREAU OF STATISTICS GIVEN TO PRESS. Aug 20 DEPT. OF STATE.

ASSISTANT SECRETARY AUG 19 1896 DEPARTMENT OF STATE.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

REPORT FILED IN Bureau of Statistics, NOT FOR PUBLICATION.

S I R:

I have the honor to enclose a brief report with reference to the prospectus of a new industry at Shanghai.

I am,Sir,

Your obedient servant,

W. Jerrigan

Consul General.

ENCLOSURE:one,above noted,--

CONSULATE GENERAL U. S. A.,

Shanghai, China July 24 1896.

Mr. JERNIGAN.

To the Department of State.

(No. 152.)

Encloses a Report on the prospectus of a new industry in Shanghai.

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ackd. and Copy with orig. Encls. to Treas. Augs. 24:96.

Dupl. with orig. file

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 24th July, 1896.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington, D.C.

S I R:

I have the honor to report the death of George Scales, an American seaman on board the American ship "W.H.Talbot", aged twenty five years, who was drowned on June 16, 1896. An inquest was duly held, and the verdict was that the death was from accidental drowning.

I enclose a statement of the wages and effects of the deceased. The balance of wages due Scales and all his effects were taken home by the Master of the "W.H. Talbot".

I am, Sir,

Your obedient servant,

W. Jerrison

Consul General,

ENCLOSURE; One, above mentioned.

CONSULATE GENERAL U. S. A.,

Shanghai, China July 24 1896

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

Encloses statement of wages and list of Effects of Geo. Seale dec'd, late W. H. Talbot

175 S File.

ASSISTANT SECRETARY SEP 4 1896 DEPARTMENT OF STATE

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA; 30 July, 1896.

Hon.W.W.Rockhill,
Assistant Secretary of State,
Washington,D.C.

INDEX BUREAU REC'D SEP 4 1896 DEPT OF STATE

S I R:

I have had the honor to receive your No.77,of June 13,instructing me to nominate a suitable man for Marshal of this Consulate General,and that the Department does not consider it wise to have the office of Vice-Consul General and Marhsal held by the same officer.

The above instructions were given me in reply to my No.161,of May the 13th,in which I represented to the Department that Marshal Shufeldt was then living in a state of intoxication unbecoming an officer.

Since writing my No.161,of May the 13th,Marshal Shufeldt promised that he would not indulge in strong drink again,and,appearing to keep that promise,I wrote my No.165,of May 29,asking the Department not to take action. It is probable that my No.165 was not before you when you instructed me to nominate another Marshal.

I am gratified to inform you that Marshal Shufeldt has faithfully kept his promise,and is now attending to his business with satisfaction,and that at present I have no wish to see him removed.

I have always found Mr.Shufeldt kindly disposed and at all times loyal and obliging, and the regret with which I felt constrained to report his condition is more than equalled by the real pleasure I feel now in requesting the favorable consideration of the Department in his behalf.

I mentioned Vice-Consul General Avery's name in connection with the office of Marshal without knowing that it was opposed to the policy of the Department to have one officer filling two offices,and I was also mislead by the record of the "Diplomatic and Consular Service",which shows that at several of the Consulates General and Consulates two offices are held by one officer. I am,Sir,Your obedient servant,

M. Jarvis

Consul General.

CONSULATE GENERAL U. S. A.,

Shanghai, China July 30th 1896.

Mr. J [illegible],

To the Department of State.

SUBJECT:

With reference to

Marshal

No. 176

Shanghai

Cmd. Sept 9.

CONSULATE GENERAL OF THE UNITED STATES.

ASSISTANT SECRETARY
SEP 4 1896
DEPARTMENT OF STATE

SHANGHAI, CHINA, 30 July, 1896.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

INDEX BUREAU
RECD.
SEP 4 1896
DEPT. OF STATE

S I R:,

I have had the honor to receive your No.76,of June,4th,instructing me to report to the Department the necessity for a Consular Agency at Ningpo,and that the Consul at Ningpo had been instructed to ship to this office the archives and other Government property upon the closing of the Ningpo Consulate on June 30th,1896.

I have made such inquiries as seemed necessary to ascertain the necessity for a Consular Agency at Ningpo,and I am of the opinion,based upon my own knowledge and the information received from reliable sources,that there is no necessity for such an Agency there.

Ningpo can be so easily and quickly reached from this office that should the presence of a Consul there be necessary I could conveniently go on one of the mail steamers leaving Shanghai regularly for Ningpo. But if there should appear any necessity for a Consular Agency at Ningpo I will promptly inform the Department,and submit the name of the American citizen who may be thought suitable.

The mail for Americans at Ningpo can be sent to some reliable American there for distribution,and since Consul Fowler left Ningpo for Chefoo I have been sending such mail to Rev.J.R.Goddard,the Treasurer of the Baptist Mission. Thus far the arrangement has proved satisfactory.

The archives and Government property belonging to the Consulate at Ningpo have been sent to this office by Consul Fowler and received. Consul Fowler is now in Chefoo. In a recent number from Consul Reid I was requested to define the limits of the Chefoo Consular district. This I I was unable to do,but answered that the limits would,in due time,be defined,and that I would submit his request to the Department,which I now do. I am,Sir,Your obedient servant,

M Bernicau

Consul General.

CONSULATE GENERAL U. S. A.,

Shanghai, China, July 29, 1896.

Mr. JENIGAN,

To the Department of State.

SUBJECT: Duties collected at Ningpo during June, 1896.

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CONSULATE GENERAL OF THE UNITED STATES.

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ASSISTANT SECRETARY SEP 4 1896 DEPARTMENT OF STATE

SHANGHAI, CHINA, 31st July, 1896.

File
Mr Chelvon
instructed

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

S I R:

I have had the honor to receive your No. 74, of June 16th, with reference to the administration of this Consulate General.

You inform me that you infer from the explanation contained in my No. 153, of April 26, "that two subordinate officers of this Consulate General, the Interpreter and the Vic e Consul General, collect from persons who have occasion to record papers in the land office of the Consulate General fees for their services above and exclusive of the fee collected by me for the same transaction, and that such practice is considered highly objectionable and irregular."

The transaction for which I receive a fee of two dollars is not the same transaction for which certain other fees are paid in the Land Office, and the distinction is clearly made by our laws. The acknowledgement of a deed or other paper writing is a separate and distinct transaction from the recording or furnishing copies of that deed or other paper, for the acknowledgement is made before one officer provided by law to take the acknowledgement, and record[illegible] by another officer provided by law to record legal documents. A judge, a probate judge, a notary public, a Consul General or Consul, can take an acknowledgement and receive a fee for the same, but such fee has never th covered the charges for recording the instrument, or, when recorded, to furnish copies of it. The charges are as distinct and clearly marked in American law as are the duties of the two officers, one before whom the deed is acknowledged and the other by whom it is recorded.

When a deed is presented for acknowledgement

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edgement before me I take the acknowledgement in writing, sign it in my official capacity, and affix to it the official seal of this Consulate General, and for which I receive two dollars and no more. Now if the holder of the deed desires to have it recorded in the Land Office he pays a fee to Mr. Avery for recording it, and if he wants a copy he pays for that so much a line or word, the usual rule for the charge ~~xxxxxxxx~~, and this principle is the principle which governs all the courts of the United States.

The holder of the deed is not required to have it recorded at all. If an American citizen it is entirely discretionary with him as to having the deed recorded. To record or not record in no sense affects here the validity of the title. The American citizen can have his deed recorded in our Land Office, or he can have it recorded in the Land Offices kept open at the Consulates General of other nationalities, and in each Land Office the fees are substantially the same and of thesame nature.

The Land Offices at the different Consulates General at Shanghai originated with the Land Regulation for the Government of the foreign settlement of Shanghai. Thecode of Land Regulations and bye-laws was issued Jul 5, 1854, by the Consuls of Great Brittain, the United States and France, acting under the instructions of their respective Ministers at Peking, and from time to time have been changed to meet changing situations with the approval of the Ministers/. The Regulations have been in force for more than a quarter of a century as have the land offices, their outgrowth. And the land offices are only for the convenience of the land renters of Shanghai, to be used or not used by them as they may wish, and there is no responsibility attaching to this Consulate General should papers in the Land office be lost. The office is peculiar to the civil government of Shanghai, as stated wholly for the convenience of the land renters of the foreign settlement.

If after the above explanation you are

still

still of the opinion that the fee of two dollars should cover all the charges it will be my pleasant duty to obey the instructions of my superior officer, but I courteously inform you that I reserve the right to test, at the proper time, the legality of the instructions to which level the rank of ~~thax~~ a Consul General of the United States to that of a Register of Deeds, and make him a mere clerk in his own office, or take from him the fees, which the law gives him, to employ the services of a clerk to do what the law does not require him to do, and for which the Supreme Court of the United States decides that he has a right to make a reasonable charge.

If a gentleman comes into my office and requests me to write him a deed, or power of attorney, and says that he will pay me twenty five dollars, I do not understand that it would be irregular for me to write the instrument and accept the fee. I have never done anything of the kind, but were I to, I do not apprehend that I would have done an act highly objectionable. There appears to me no difference in the case above given, for illustration of a principle, than when the holder of the deed, without any compulsion, without any legal requirement, offers to pay Mr. Avery a fee for copying the deed in a book, And such recording fees have not proved remunerative, amounting during my first year to about one hundred gold dollars, and during my second, owing to activity in land speculations, to over two hundred dollars.

American citizens generally record their land leases in our Land Office, and this they do from a sense of national pride, but I can assure you that rather than see the Consul General of their country, at this port, doing the work of a Register of deeds, as a copying clerk, or having to pay out a part of his very scant salary to preserve the dignity of his official position, they will have their legal documents recorded in the Land Office of some other Consulate General. In this connection I most respectfully inform you that it is no part of my inheritance to walk on lines of duty that are not

above reproach, and to submit that the censure in your number is unjust to me. For more than a quarter of a century the Land Office has been conducted at this Consulate General by all of my predecessors, immediate and remote, just as it has been conducted under my administration, and I hope thatyou will admit the injustice of singling me out for censure. If the principle is wrong I could have been instructed to change it without the censure for doing what every one of my predecessors has done before me, and which it was natural for me to believe was understood and approved, and when every Consul General at Shanghai has done, and is now doing, the same thing, and there has never been a complaint, -all foreigners at Shanghai desiring the land offices to be so conducted. The tone, Mr. Secretary, of your number is not friendly to me, and your conclusions leave an inference that is not creditable to me, and I very much regret that the tone and conclusion could not have been omitted in your instructions,

You direct me to inform you if Mr. Rufus F. Eastlack, the Deputy Consul General and Clerk, receives the amount of the salary of such clerk, and if he divides it with anyone. I enclose Mr. Eastlack's letter in answer to your inquiry, and my answer is that Mr. Eastlack has been paid annually the sum of sixteen hundred dollars, the amount allowed for clerk salary during my incumbency of this office, and Mr. Eastlack is too honorable a gentleman to sign a receipt to his Government for money he does not receive and is not free to spend as he voluntarily desires; and I hope that I would be honorable enough not to allow it. If proper, may I courteously request you to allow Mr. William Dulaney Hunter to read Mr. Eastlack's letter.

The Post Office Department has a Postal Agency here. I am the Postal Agent, and am allowed twelve hundred dollars for clerk service. The amount is inadequate, but it is as judiciously expended as I know how for the efficient distribution of the United States mail. The duties of the Postal Agent are exacting and great care has to be [redacted]

in

in the distribution of the mailsfor their several destinations. It is impossible for one clerk to do the work,and we have sub-clerks, such as are in post-offices in the United States. It is from the Postal Clerk's fund that Vice Consul General Avery receives the greater part of his pay,and this with the fees paid him for recording legal documents,making copies of the same, and whatever the Interpreter may voluntarily pay for typewriting,constitute the sources of Mr.Avery's income. If for services rendered me I should pay Mr.Avery for such services,it would be my voluntary act,and there could be no moral or official wrong in the principle. At Yokohama the Vice-Consul General is the Interpreter,and at several of our Consulates the Vice-Consul holds some salaried office in the Consulate. It seems to me that it would accord more with the dignity and efficiency of the Consular service to make the Vice-Consul General a salaried officer. No officer in this Consulate receipts for money to his Government that he does not do so voluntarily and as voluntarily expend ,and that I may be vindicated from your unfavorable inferences I trust it may be convenient for the Department to send a Consular inspector to China and examine into the administration of our Consular service in this Empire. I shall be very glad to afford the Inspector every facility for the most thorough investigation,and any comparison between the present official and social standing of this Consulate General with any other at this port,or with the administration of xxxx any of my predecessors,and I submit this,I hope,in the spirit of becoming modesty.

I am,Sir,

Your obedient servant,

W. Lanciller

Consul General.--

ENCLOSURE;one;Mr.Eastlack's letter.

CONSULATE GENERAL U. S. A.,

Shanghai, China, July 31, 1896.

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

Office business of
the Consulate-
General.

Sir:

CONSULATE GENERAL OF THE UNITED STATES

SHANGHAI, CHINA 29th. July 1896.

Hon. W. W. Rockhill

Asst. Secretary of State

Dear Sir:

I have the pleasure to inform you that I receive for my services at this Consulate General the sum of Sixteen hundred dollars annually in United States gold or the equivalent thereof, as per vouchers filed with the returns of the Consulate General, and I do not devide it with anyone.

Yours very truly

Rufus F. Lanthark

Deputy U. S. Consul General,

and Consular Clerk.

SEP 16 189
DEPT. OF STATE

Copy with Orig. enclosures to Interior. Sept. 16

CONSULATE GENERAL OF THE UNITED STATES.

Ans. Oct. 12.

SHANGHAI, CHINA, 6 Aug., 1896.

Gen'l Bond

Hon.W.W.Rockhill,

Assistant Sec'ty of State,

Washington,D.C.

Ans. Sept. 29.

S I R:

I have the honor to inform you that Pascal Martin,an American citizen residing at Shanghai,died on April the 9th,1896,of cardiac and renal disease. Martin received a pension for twenty years service in the Navy. The pension dates from 1st Dec.,1891,and the amount is twenty dollars and fifty cents per month.

The check I enclose was issued before the death of Martin,but received after his death,and I have delayed writing on the subject for some suitable American to administer,but as there is not likely to be any administration the check is returned,and I await the instruction of the Department. Mrs.Martin resides in Shanghai,and needs the amount of the check,but as there is no one who can legally endorse it for collection,I return it hoping that the Department can arrange in some way in the interest of Mrs.Martin.

I am,Sir,

Your obedient servant,

Consul General.

Enclosures above mentioned.

CONSULATE GENERAL U. S. A.,

Shanghai, China Aug. 7th 1896

Mr. JEPNIGAN,

To the Department of State.

SUBJECT:

Report the death
of Pascal Martin
deceased.

S

ASSISTANT SECRETARY
SEP 17 1896
DEPARTMENT OF STATE

No.179.

Consulate General of the United States,

Shanghai,14th of August,1896.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

I have had the honor to receive your No.79,of July 2,instructing me that hereafter "transit passes" should be issued gratuitously. The instructions will be obeyed,and I have communicated them to our Consuls in China.

You seem to be under the impression that "transit passes" are issued by the Consul General or the Consul,when,in fact,such passes are issued by the Taotai on application through our consular offices.

The treaty concluded between China and Japan at the close of the war,and the commercial treaty,the consequence thereof,will very probably do away with the system of"transit passes",which,so far as concerns this office,have been a source of very small revenue to me;but the principle involved in your instructions takes from the Consul fees which are believed to be his,and I beg to respectfully submit my reasons for the belief.

The fee for "transit passes" is not prescribed by law or any executive order,and the principle which has heretofore been held to mark the distinction between official and unofficial fees is that the fee for acts which the Consul is empowered,but not required by law,to perform is unofficial.

At the request of China the merchant applies through his Consul to prevent the abuse of the "transit pass" system,and no American merchant,during my incumbency, has ever complained about the small fee paid me for sending in to the native city--nearly two miles--to ensure promptness in securing the "transit pass",and identifying it with the seal of office to expedite his interest.

To

To make clearer my view,I will state that there is now before the "Consular body" a proposition to arrange for merchants to apply to the Commissioner of Customs for"transit passes",this showing that the act is merely commercial,which the merchant can perform,and pay for,as he acts and pays in relation to the tonnage dues of vessels or on imports and exports.

It will be a pleasant duty always to obey the instructions of my superior officer,but when the Consuls of the United States receive such small compensation,as compared with the Consuls of other leading nations,I submit that a liberal construction of laws relating to their compensation would be received with encouragement and appreciation.

I am,Sir,

Your obedient servant,

M Jerrigan

Consul General.

To make clearer my view, I will state that there is now before the "Senate bill" a petition to enlarge the privileges of apply to the Commissioner of Customs for "transit passes", thus among them the New York Mercantile Exchange, which has received can perform, and for, he is to pass and pass certificates to the charge duty of vessels or on imports and exports.

It will be a pleasure duty always to obey the instructions of my superior officer, but even the Duty of the United States receive such small emphasis, as compared with the Customs of other leading nations, I submit that a liberal construction of law relating to these objections can scarcely be received with encouragement and approbation.

I am, Sir,

Your obedient servant,

Comptroller.

180

180

file

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 18 Aug., 1896.

Cons Bul.
In reply to Desp
allow to take
Shufeldt
WRR

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

I have had the honor to receive your No.80,of July the 8th,informing me that the Department was not disposed to reverse its decision given in its No.77,in answer to my No.161,relative to the Marshal of this Consulate General, and directing me to nominate,without delay,a suitable man to be Marshal.

I do not know of anyone in the United States,suitable for Marshal,that I would advise to accept the office with the small salary now allowed and its uncertain tenure,and there is no American here,suitable,who is not employed at a larger salary and a more certain tenure.

I beg to leave the subject entirely for the action of the Department.

The conduct of Mr.Shufeldt is now exemplary,and,having been in the service for many years,I hope the Department may yet consider his case with favor.

When I reported Mr.Shufeldt's conduct, it was my duty to do so,but I believe that he is now more than ever convinced of his past errors,and means that his reformation shall be permanent. He is now a changed man.

I am,Sir,

Your obedient servant,

W.R.Jerningham

Consul General.

CONSULATE GENERAL U. S. A.,

Shanghai, China Aug 18" 1896.

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

Relative to

Marshal

No. 181

Ans. Sept. 30.

ASSISTANT SECRETARY
SEP 29 1896
DEPARTMENT OF STATE

INDEX BUREAU
REC'D.
SEP 28 1896
DEPT. OF STATE

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 26 Aug., 1896.

Con Desp
Ans & Inclosure
WR

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

On the 19th of Aug ,1896,R.W.Lambuth, an American citizen,informed me that he had leased a house at Soochow,from a native,for business purposes,and that at the proper time he proposed to run a steam launch from Shanghai to Soochow,carrying passengers and freight,and that on the 19th inst,the house was closed by order of the Soochow Taotai,and that the native landlord and security-man had been imprisoned, and the landlord beaten.

These facts I wired to the U.S.Minister at Peking,and promptly demanded of the Nanking Viceroy a redress of the wrong.

In answer to my telegram to the Minister at Peking,I was instructed by him to go to Soochow,demand proper redress,and report to him. I immediately obeyed these instructions,and arrived in Soochow on the morning of the 21st., and had an interview with the Soochow Taotai on the afternoon of the same day.

Before the interview I informed myself as to the facts,and found that Mr.Lambuth had leased the house, but that he had not been to Soochow to trade,and was waiting for the new regulations before beginning to trade;that his wish and intention was to conform to the regulations in every respect, and that the house had only been leased in order to be ready when the regulations are published.

When I met the Soochow Taotai I very frankly stated to him my understanding of the facts. He answered that goochow had not been declared an open port,and that

China

China was not ready for foreigners to trade there, and would not be ready until the new regulations are published, which would be about the 1st Oct., 1896. I answered that Soochow had been made an open port by treaty, a fact that had been published to the world, and the only limitation was that foreigners were not to trade at Soochow till six months after the ratification of the treaty, which made it an open port, and that over nine months had passed since the expiration of the six months, but, admitting his view, Mr. Lambuth did not want to trade, and would not trade, before the publication of the regulations; then, I asked, why, under such circumstances, do you close the house leased by Mr. Lambuth, and imprison the two Chinamen (and punish one), who were friendly enough to lease the house to my countrymen? The Taotai replied that the house was not on the foreign concession. I answered that there were no houses on the foreign concession; that it would be several months before the foreign concession was in a ~~position~~ condition for building on it, and that China had never signified assent for foreigners to lease lots on the concession, but thus far had opposed such leases, and that the policy indicated would defeat the object of making Soochow an open port, and, I added, that at Shanghai foreigners lease houses from the natives off the concession, and the Shanghai Taotai did not object; that the regulations for trading at open ports of China should be uniform, and, doubtless, would be intended to be uniform to avoid constant irritation. In this connection, I stated to the Taotai, it was the opinion of the United States Legation at Peking that land at Soochow could be leased by foreigners at Soochow either within or without the concession as at the other open ports. He did not appear to concur in that opinion, but soon, you will see, he not only agreed, but, by his own proposition, fully concurred in the opinion of the U.S. Minister at Peking.

At this point the Taotai seemed more inclined to discuss the provisions of the treaty between China and Japan than the business that had called me to Soochow, when I said that I could not discuss any such subjects, however kin-

dred

dred,and that I would expect him to release the two Chinamen, unseal the door of the house,and restore the status quo;that my countrymen had leased the house with lawful intentions,and,being willing to conform to the regulations of his Government, the house should not have been closed in the manner it was closed,nor should the two friendly Chinamen have been imprisoned, and that I could not discuss what might be agreed upon until the status quo had been fully restored;that a house in the possession of an American citizen,under color of a lease,or any other color of title,could not be closed as he had closed"that house". Here the first interview ended,the Taotai saying that he would call to see me the next day,but did not think he could accede to my views.

At the second interview the Taotai asked if Mr.Lambuth was especially desirous of using the house leased,and if another house near by,and off the concession, would not suit him as well. I answered that I believed that the two Chinamen he had in prison were especially attached to the leased house,and that if he was ready to restore them to liberty,and deliver their house to them,the plan he suggested would be considered. He answered that he would release the two Chinamen and put them in possession of their house,and I answered that Mr.Lambuth would accept the house off the concession.

The port of Soochow will be formally declared open on the first of Oct.,1896/,but the foreign concession will not be in a condition for trading purposes. The location of the concession is very pleasant,being just outside of the city wall and at the junction of the Grand Canal going from Hangchow and Shanghai to Soochow,and forming a diamond-shaped promontory. It is,however,some distance from the active business marts of Soochow,and for some time hence it will be more convenient to trade for foreigners to lease their houses nearer the business mart;and I had this in view when I successfully established the principle that an American, if he desired

sired, could lease property off the concession Before closing the interview I reminded the Taotai that in the future when American citizens did not act in accordance with the views of Chinese the fact should be reported to the nearest American official, and the question could be adjusted in a friendly spirit, and without seeming antagonism; and that had he reported to me(which he could have done in a few moments, by wire) his objections to the action of Mr. Lambuth, I would have gone to Soochow, and convinced him, as I had done, that he had acted too hastily and had supposed what Mr. Lambuth had never intended to do.

The Government of China has been very slow to inform Chinese officials that the war with Japan has ended, and as the result certain Chinese ports had been declared open for trade. Much confusion and irritation would have been avoided had there been promptness on this line; and it is not too late, now to urge China to promptness. When the Taotai at Ningpo, several months after the close of the war, was requested to remove the obstructionsin the mouth of the river at Ningpo, he answere d that the obstructions were put there to keep the Japanese out, and he had received no notice of any declaration of peace between China and Japan.

I have the honor to respectfully submit the above.

I am, Sir,

Your obedient servant,

W. R. Merriman

Consul General.

CONSULATE GENERAL U. S. A.,

Shanghai, China, Aug 26th 1896.

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

Report with reference to Japan-China War.

Case

Ans. Sept. 30.

No. 182

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 28 August, 1896.

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

S I R:

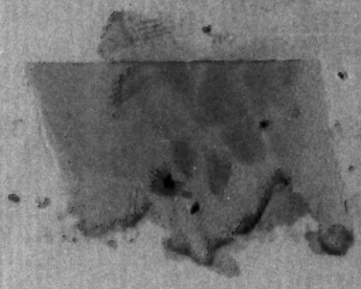
I have the honor to submit, for your consideration, that on May the 15th, I received a despatch from Consul Jones, at Chinkiang, dated May the 14th, informing me that there had been a "serious outbreak against the Presbyterian Mission at Kiang-yin within his consular district", and asking for the U.S.S. "Boston", then in this port. I at once communicated with Captain Wildes of the "Boston", and learned that the "Boston" was not then ready for sea, but Captain Wildes very promptly sent Lieutenant MacLean to Chinkiang to confer with Consul Jones, and on May 27th, as early as the "Boston" could be made ready for sea, the vessel sailed for Chinkiang, and Consul Jones was notified by me by wire.

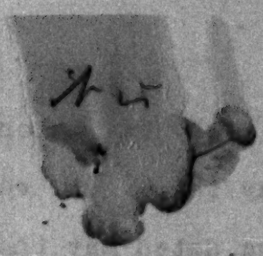
Captain Wildes was very desirous of going to Chinkiang, and recognized the importance of ~~pressing~~ impressing upon China that there was the most cordial co-operation between the civil and military authorities of the United States, and that the opportunity was favorable to make such an impression; and when the "Boston" arrived at Chinkiang Captain Wildes offered his services to our Consul, and on all lines of duty was ready to co-operate.

The report of Consul Jones on the Kiang-yin case is now before you, and the facts leading to the disturbance are, according to my information, stated with substantial accuracy, but there are some kindred facts which are not fully stated by our Consul.

As soon as informed of the disturbance I wrote to Consul Jones that he should at once write the

Department





Department, giving all the facts then known to him, and report by every mail the additional facts until he sent his final report. I also wrote him that the opportunity was favorable to show that an American Mission could not be looted without the most serious consequences to those who by omission of duty or commission of a wrong directly or indirectly contributed; that he should make the most searching and unsparing investigation, and demand of the Viceroy of the Province the publication of a proclamation naming the guilty officials, with the guilt of each, and denouncing as false the charge made against the Mission of kidnapping children; that if there were any questions relating to the titles of the Mission property these should also be settled, and I specially named the Magistrate of Kiang-yin, whose criminal culpability has subsequently been made evident in Lieutenant MacLean's report, as one of the officials who deserved the severest punishment.

I have thought it proper to outline to you the substance of my numbers to Consul Jones, in connection with the Kiang-yin case, as an intelligent preface to some considerations which I now respectfully beg to submit:

The investigation of the Kiang-yin case was conducted at Kiang-yin. Consul Jones was not at Kiang-yin at the investigation, nor was any American present to represent our interest. By treaty the Consul had a right to be present, and, in my opinion, he should have been present.

The Magistrate of Kiang-yin presided at theinvestigation, directed the course of the examination, admitted and rejected such evidence as he desired, and made his report to the Chinkiang Taotai. The investigation conducted by such an official fails to eliminate the belief of prejudice and bias, and the report, in consequence thereof, does not inspire confidence.

It is the report made by the Kiang-yin Magistrate and his associates to the Chinkiang Taotai that is

made

made the basis of Consul Jones' report; and the Consul's report does not commend itself to impartial justice. Evidence elicited at an investigation, conducted by the official evidently most culpable, concerning American interest, and when no American was present, is not the evidence upon which an American officer should approve of a sentence of death.

After the investigation at Kiang-yin was closed the prisoners and their confessions were sent to the Chinkiang Taotai, and then it was that Consul Jones was first present; and there the prisoners repeated the confessions made at Kiang-yin, and the Taotai makes such confessions the basis of his report to his Government, and the same by Consul Jones as the basis of his report to his Government,

Lieutenant MacLean, in his report, tells how one Tsiang was incriminated upon the testimony of the admitted principal conspirator, the quack doctor, and through professing to be innocent how Tsiang was tortured until he confessed to being guilty. All that I have been able to learn from trustworthy sources confirms the statements of Lieut. MacLean and support his conclusions. Our countrymen who have resided at Kiang-yin for several years assure me that during that period Tsiang has been a friend to the Mission, and that before, during and after the disturbance his whole conduct accorded with the general good character he had always maintained. And now it is this man Tsiang, whose friendship for our countrymen was well-known, who is singled out to die by strangulation, the most infamous sentence, upon the testimony of the quack doctor, the originator and leader of the conspiracy, and upon a confession wrung from him in the torture chamber at Kiang-yin, and which he was alleged to have repeated at Chinkiang in the presence of the Taotai and our Consul while underthe guard of the very men who administered at the torture rack at Kiang-yin.

Soon after Messrs. Haden and Little, the American missionaries who were in charge of the Mission at

Chinkiang

Kiang-yin
~~Chinkiang~~ related to me the good character of Tsiang, the circumstances under which he was made to confess, and their firm belief that he was innocent, I saw Consul Jones in Shanghai and stated to him what I had heard about Tsiang, and he replied that he was willing to co-operate in having Tsiang's sentence commuted, but I notice in the Consul's report to you that he regards Tsiang as being guilty.

When it was known that Tsiang had been sentenced, more than twenty of the most influential American missionaries called at my office and requested me to write to Minister Denby, represent to the Minister the circumstances of Tsiang's life and sentence, and request the Minister to intervene, as far as he could, to have the sentence commuted. This was before I saw Consul Jones, and after I had seen the Consul and talked with him on the subject I wrote Minister Denby the facts as materially indicated. Minister Denby immediately represented Tsiang's case to the Tsungli Yamen, but writes me that the Yamen declines to interfere. My belief is that Tsiang is an innocent man, and, while China can take the life of her subjects, an innocent Chinaman ought not to be killed under the cover of protecting foreign rights and property. The natives who are friendly to our Mission are not favorably regarded by the official class of China, and the opinion prevails among our countrymn that Tsiang's friendship for the Mission at Kiang-yin has not contributed to his safety.

The Magistrate of Kiang-yin is still in office. There has been no proclamation announcing the degradation and punishment of officials at Kiang-yin. The management of the Kiang-yin case is more an invitation than a preventive to similar outrages against our countrymen. The result has been received with general disapproval by foreigners of all nationalities, and I have so informed Minister Denby. With one of the finest ships in the Asiatic squadron, ready and near-by, the opportunity was most favorable, and could have been fully utilized as a far-reaching preventive.

I am, Sir, Your obedient servant, W. Jerrimiah Consul General.

CONSULATE GENERAL U. S. A.,

Shanghai, China Aug 28th 1896

Mr. JERNIGAN.

to the Department of State.

SUBJECT:

With reference to
the Kang-yu
case

No. 183.

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 29 Aug., 1896.

INDEX BUREAU REC'D. SEP 28 1896 DEPT. OF STATE

CONSULAR BUREAU RECEIVED

Hon. W. W. Rockhill,

Ass't Secretary of State,

Washington, D.C.

S I R:

I have the honor to enclose herewith a certificate of the marriage of L.G.Little to Pauline McAlpine Du Bose.

I am, Sir,

Your obedient servant,

W. Jeremiah

Consul General.

One enclosure.

CONSULATE GENERAL U. S. A.,

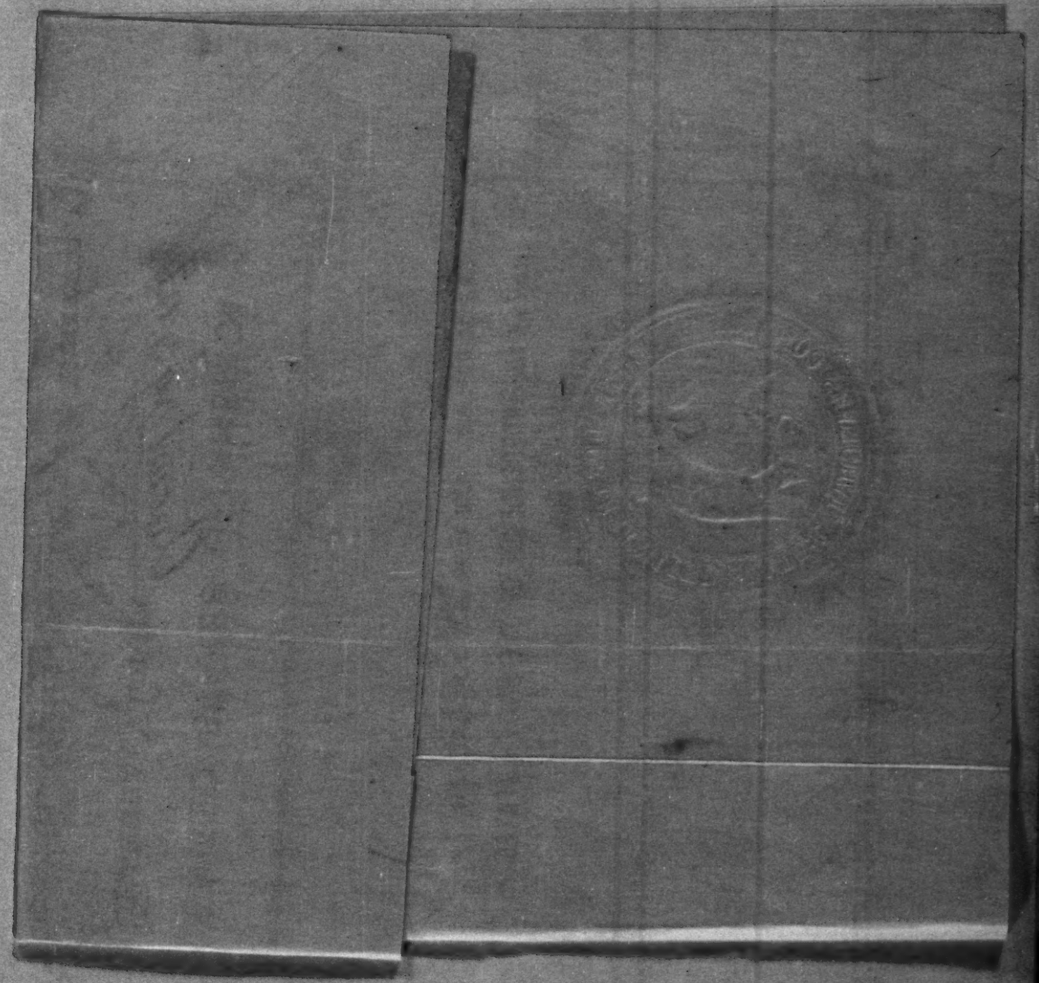
Shanghai, China Aug 29 1896

MR. JERNIGAN,

the Department of State.

SUBJECT:

Enclosed Marriage
Certificate Mr Little
and Miss Du Bois



CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA August 29 1896

I, J. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI do hereby certify that on this 30th day of June A.D. 1896, at Rev. N. E. McAlpine's residence in Soochow China I am informed Grand Settle aged 28 years, born in Settles Mills N.C., and now residing in Kiang Yin and Pauline M. Allpine Nee Dau aged 20 years born in Shanghai China and now residing in Kiang Yin China were united in marriage before me, and in my presence, by Rev. N. E. McAlpine who is authorized by the laws of United States to perform such a ceremony.

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI this 29th day of August, A.D. 1896, and of the INDEPENDENCE OF THE UNITED STATES the 120th

J. R. Jernigan

U. S. Consul General.

CONSULATE GENERAL

84

Ans. Oct. 14

ASSISTANT SECRETARY
OCT 6 1896
DEPARTMENT OF STATE

CONSULATE GENERAL OF THE UNITED STATES.

INDEX BUREAU
REC'D.
OCT 6 1896
DEPT. OF STATE

SHANGHAI, CHINA, 4 Sept., 1896.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

In connection with Consul Jones'No. 277,of August the 29th,I have the honor to submit that the Consul did inform me of the riot at Kiang-yin,but,in the same number,stated that,as it was in his district,he would give the case his own attention;and,in reply,I requested him to inform the Department,as he knew the facts,and the Minister and myself could only know generally what had taken place. It was his duty to inform the Department of what was going on in his consular district.

It is true that it was reported that the Kiang-yin Magistrate had been degraded,but to relieve,as alleged,the Chinkiang Taotai from paying the assessment for damages done the American Mission,the Magistrate was reinstated, and this gave him the opportunity to tax the laborers of his district to pay an assessment for a violation of law,which with due diligence and prompt discharge of his official duty,he could have prevented;and it is this Kiang-yin Magistrate who, after being degraded and then reinstated,is allowed to preside at the trial,and whose report of the finding is the basis of the Consul's and the Taotai's report.

If the Magistrate was guilty at all, he should have been promptly and finally removed,for we can only look to the Government of China--not to individual officials--for the proper redress of wrongs done American citizens. I do not think a different policy would be safe. To have the Magistrate removed and then assent to his reinstatement was reasonably accepted by the Chinese in justification of the Mag-

istrate

istrate, and to allow him to preside at the trial was to the Chinese fuller justification. The riot occurred about the middle of last May, and the Magistrate is to-day in office.

There is now passing through this office a despatch from Consul Seymour to Minister Denby, informing the Minister of troubles in the vicinity of Tungkun, on the East river, about sixty miles East of Canton, resulting in the burning of a chapel of the American Presbyterian Mission, and the pillage of crops in that section.

I am, Sir,

Your obedient servant,

M. Jernigan

Consul General.

CONSULATE GENERAL U. S. A.,

Shanghai, China Sept 4th 1896.

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

With reference to
Chinkiang Consular
No 277 to the
Department.

No. 185.

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 4 Sept., 1896.

INDEX BUREAU REC'D. OCT 6 1896 DEPT. OF STATE

CONSULAR BUREAU NOTED.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

I have the honor to enclose a certificate of the marriage of Joseph Seymour,an American citizen,to Su Lin,a subject of China.

I am,Sir, Your obedient servant,

W.R. Jarvis

Consul General.

ENCLOSURE;one,as above noted.

CONSULATE GENERAL U. S. A.,

Shanghai, China Sept 4th 1896.

MR. JEPNIGAN.

To the Department of State.

SUBJECT:

Encloses Marriage Certificate Joseph Seymour and Su Lin.

...ERAL U. S. A.,

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA June 30 1896

I, J. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, do hereby certify that on this 25th day of June A.D. 1896, at the U.S. Consular Canal in SHANGHAI Joseph Seymour aged 47 years, born in Saint of Orleans Louisiana and now residing in Shanghai and Su Lyi aged 33 years born in Canton China and now residing in Shanghai China were united in marriage before me, and in my presence, by Rev. J. M. K. Farnham who is authorized by the laws of United States to perform such a ceremony.

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI *this* 30th *day of* June, *A.D.* 1896, *and of the* INDEPENDENCE OF THE UNITED STATES *the* 119th

J. R. Jernigan

U. S. Consul General.

CONSULAR BUREAU

186.

Ack. to copy to Post Mas. Genl. Oct. 28.

Copy to P.M.G.

INDEX BUREAU REC'D. OCT 26 1896 DEPT. OF STATE

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 15 Sept., 1896.

Ans. Nov. 2.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

I have the honor to submit that there is much complaint at the delay in the delivery at this port of the American mails by way of Japan. A mail arriving at Yokohama by the Pacific mail steamers is often two weeks in reaching Shanghai,and recently more than one case has been brought to my attention where it appears that the delay could have been avoided by ordinary promptness.

Merchants at this port who have business relations with the United States do not complain at the delay in receiving their mails without good cause;and I beg that you will request the Post Office Department to have all cause for future complaint removed as far as possible.

In my correspondence with the Post Office Department I have referred to the subject.

I am,Sir,

Your obedient servant,

W. Jarvis Pan

Consul General.

CONSULATE GENERAL U. S. A.,

Shanghai, China Sept 15 1892.

Mr. JENNIGAN,

To the Department of State.

SUBJECT:

With reference to the delivery of the U.S. Mails at this port.

Ack. Copy with orig. Enclosures to Treas. Oct. 28. Treas

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CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 16th Sept., 1896.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

I have the honor to report the death of John Dow,a seaman on board the American ship "Standard",of Bath,Maine,who fell from aloft and was killed,on the 6th April, 1896,while on voyage from New York to Shanghai,

John Dow shipped on board the "Standard" at New York on or about the 16 Nov.,1895. The vessel arrived at Shanghai on the 26 May last,and sailed for Cebu, Philippine Islands on June 22,1896.

Conforming to the Consular Regulations, I transmit herewith the "Standard's" account of the arrears of wages due Dow,with appended inventory of effects belonging to him. The affidavit of the Master of the vessel,John H. Snow,in accordance with Form No.74,was duly attached to the shipping articles,and also to the crew list of the vessels.

The effects belonging to John Dow were retained by the Master of the "Standard",-to be accounted for by him on the return of the vessel to the United States.

I am,Sir,

Your obedient servant,

W. Ferguson
Consul General.

ENCLOSURES ABOVE NOTED.--

CONSULATE GENERAL U. S. A.,

Shanghai, China Sept 16th 1896.

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

Reports the death
of John Doe
late seaman American
Ship "Standard"

Ack. copy with orig. Enclosure to Treas. Oct. 28. Treas

No. 188.

INDEX BUREAU RECD. OCT 26 1896 DEPT. OF STATE

CONSULAR BUREAU NOTED

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 16 Sept., 1896.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

I have the honor to report the death of Peter Hansen,a seaman on board the American ship "Josephus", of Newcastle,Maine,who was drowned at sea while on a voyage from New York to Shanghai.

The said seaman shipped on board the "Josephus" on or about the 22nd of January last. The vessel arrived at this port on June 4th,1896,and cleared for New York,via Hong Kong,on July 22nd,1896.

In conformity with the Consular Regulations I transmit herewith the said ship's account of arrears of wages due to Hansen,with appended invoice of effects belonging to him. The affidavit of the Master of the ship,P.R. Gilkey(inaccordance with Form No.74) was duly attached to the shipping articles,and also to the crew list of the vessel. The effects belonging to the seaman were retained by the Master of the vessel,-to be accounted for by him on the return of the "Josephus" to the United States.

I am,Sir,

Your obedient servant,

W.B. Derrenbacker

Consul General.

ENCLOSURES ABOVE NOTED.--

CONSULATE GENERAL U.S.A.

...RAL U. S. A.,

..., China Sept 16 1896

Mr. JERNIGAN,

To the ~~Department of State~~

SUBJECT:

Reports the death
of Peter Hansen
late seaman American
Stmr "Josephus"

INDEX BUREAU
REC'D.
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ASSISTANT SECRETARY
DEPARTMENT OF STATE

Consulate General of the United States,

Shanghai, China, 23rd Sept., 1896.

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

Copy to Treas. Nov. 3.

S I R:

I have had the honor to receive your No. 81, of Aug. 3rd, inquiring if there was confined in this Consulate jail a destitute American citizen who is an imbecile, and, if so, to report such facts as may be known in order that proper provisions might be made for his return to the United States.

The American citizen about whom I conclude you inquire is not now in this Consular jail, but has been at the hospital for several weeks, supported there, and in good health, by contributions from American citizens at this port. His name is Owen Williams, and he was born at Bangor, N. Wales, in 1831, and was naturalized by the Court of Common Pleas of New York City, New York, March 26, 1866, and was married at Shanghai, June 1st, 1881, to a Mrs. Edbrook.

Mr. Williams was an engineer on one of the river steamers in Chinese waters for many years, but gave up that calling to take charge of a livery stable which a former husband of his wife had conducted. He has received every attention it was possible to give him and his health has continued good, but his mind is gone, though he is harmless and easily controlled. He was once sent to Hong Kong, but returned, and, becoming a nuisance, was confined on a charge of vagrancy.

Having succeeded in collecting a sufficient amount of money, I will ship Mr. Williams to Tacoma, Washington, in the North pacific s.s. "Victoria", which sails from this port to Tacoma on Oct. 5, 1896, in charge of an American citizen named Harry Snipper, and I will write the Customs House officials at Tacoma to care for Mr. Williams, until instructed by you.

I

I have sufficient funds contributed to defray the expenses of Mr.Williams while he has been in the Hospital here and his passage to Tacoma,as well as the passage of the destitute American Mr. ~~Snipper~~ Sniffen, the latter being a sober,humane man,and suitable to accompany Mr.Williams.

The wife of Mr.Williams now lives at Shanghai. She is poor and unable to be of any assistance to him. He has a son in the Stateof New York,but inquiries have failed to locate him.

Mr.Williams appears to enjoy good health. He was sent to the hospital for a change,but the physicians here pronounce him a hopeless imbecile,and certificates to that effect are on file in this Consulate General.

I am,Sir,

Your obedient servant,

W. Jerwipan

Consul General.

CONSULATE GENERAL U. S. A.,

Shanghai, China Sept 23d 1896.

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

Replies to Department
No. 81. in reference to
undesirable American

Harrison & Blair informed. 1/29.97.

ans. & Orig. Enclosures returned Oct. 29.

190.

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 25 Sept., 1896.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

I have the honor to inform you that I am in receipt of a letter from Harrison & Blair,attorneys at law,Shelbyville,Ind.,making inquiries on behalf of Richard Dobbins,of that city,concerning Mr.Dobbins' daughter,named in Harrison & Blair's letter Celia Scaife(or Scafe).

The woman referred to died at Shanghai Jan.5,1896,of small-pox. She was an inmate of a house of ill-fame,and went by the name of Vivian Dale,but her identity as Celia Scaife was very clearly established byher own declarations,and by her receiving letters from the post-office at Shanghai addressed to ber by that name.

This woman never applied for registration at this Consulate General,and,so far as I know,never asserted her nationality,but when her death was reported I had our Marshal here to see that she had a decent burial,and that such of her effects as were not destroyed on account of her disease to take possession of,and hold for delivery to the proper owner.

There was no doubt of the woman being an American,and this was why I gave directions to the Marshal to have her decently buried.

Mr.Dobbins has been written to twice on the subject,and the letter of his attorneys is now before me in consequence. The box in which will be found a ten dollar U.S.note and jewelry with inventory of same is in the pouch, and I enclose a check for eight dollars and eighty eight cents this being the balance due. The account and vouchers are on record at this Consulate General showing what was found and the disposition thereof.

I am,Sir,Your obedient servant,

W.R.Jernigan

Consul General.

CONSULATE GENERAL U. S. A.

CONSULATE GENERAL U. S. A.,

Shanghai, China Sept 25 1896.

M. J. HIGAN,

To the Department of State.

SUBJECT:

With reference to the Estate of Viviana Dale (deceased)

No. 191.

ans. 11/28/96

Gov't. Va. Oct. 29/96

Consulate General of the United States,

Shanghai, China, 24 Sept., 1896.

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

S I R:

I have the honor to report that some time ago John Paine (colored), an American citizen whose home is in Charlottesville, Va., was arrested on the charge of being drunk and disorderly, and, while under sentence in the jail of this Consulate General, became insane. The jail physician pronounces the case serious. At times paine is very violent, and then there are days when he appears to be regaining his reason.

If, before receiving your instructions, Paine should be in a condition to travel I will endeavor to have one of our merchant vessels take him to the United States.

I am, Sir,

Your obedient servant,

W. R. Jernigan
Consul General

Wharton 5 191

CONSULATE GENERAL U. S. A.

CONSULATE GENERAL U. S. A.,

Shanghai, China Sept 24 1896.

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

With reference to
John Paine (colored)
now confined in this
Consular Jail

No. 192.

CONSULAR BUREAU. NOTED AND PUBLISHED. DEPARTMENT OF STATE.

INDEX BUREAU REC'D OCT. 6 1896 DEPT. OF STATE

Consulate General of the United states,

Shanghai, 24 Sept., 1896.

Hon. W. W. Rockhill,

Assistant secretary of State,

Washington, D.C.

S I R:

I have the honor to report the death of Benjamin Peel Clough, who died Sept. 4, 1896, of cancer of pancreas and tumor of liver. Mr. Clough had been a pilot on the Yangtsze river for over twenty years; and was reported to be a man of good character.

He left a will appointing his wife as executrix. Mrs. Clough was an English woman prior to marriage. She is ladylike, and appears to have good-judgment. The value of the estate is about $5000. There are no children.

I am, Sir,

Your obedient servant,

M. Jerauld

Consul General.

CONSULATE GENERAL U. S. A.

No. 192

CONSULATE GENERAL U. S. A.,

Shanghai, China Sept 24 1896.

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

Reports the death of Benjamin Peel Clough (deceased)

No. 193.

INDEX BUREAU
REC'D.
OCT 26 1896

Consulate General of the United States,

Shanghai, 24 Sept., 1896.

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

S I R:

I have had the honor to receive your No. 83, of Aug. 19, informing me that Vol. 162 of the United States Reports had been sent under separate cover for the use of this Consulate General. The Volume has been received.

I am, Sir,

Your obedient servant,

W. Farnham

Consul General.

CONSULATE GENERAL U. S. A.,

Shanghai, China Sept 24th 1896

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

Acknowledges the receipt of U.S. Reports Volume 167.

194.

Ack. & congts. Dreus
Dean. Oct. 30.

ASSISTANT SECRETARY
DEPARTMENT OF STATE

CONSULATE GENERAL OF THE UNITED STATES.

INDEX BUREAU
RECD.
SEP 26 1896
DEPT. OF STATE

SHANGHAI, CHINA, 25 Sept., 1896.

Hon.W.W.Rockhill,

Assistant Secretary Of State,

Washington,D.C.

S I R:

I have the honor to enclose copies of the Provisional Rules for the Regulation of Foreign and Chinese Traffic between Shanghai,Soochow,and Hangchow.

I am,Sir,

Your obedient servant,

Consul General.

Enclosure noted.

CONSULATE GENERAL U. S. A.,

CONSULATE GENERAL U. S. A.,

Shanghai, China Sept 25 1896

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

Encloses copies of Provisional Rules for the Regulation of Foreign and Chinese Traffic between Shanghai, Soochow and Yangchow.

105.

Ack'd copy to Treas. with pig. Encls. Oct. 30.

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA. 25 Sept., 1896.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

I have the honor to advise having sent to Port Townsend,Washington,by the American schooner "Lyman D.Foster",of San Francisco,Daniel O.Killman,Master, two invalided seamen named Alfred Johnson and Joseph West, who are unable to do seamens' duty.

In payment for the passage for the said seamen I have given the Master of the "Lyman D.Foster" for collection from the Treasury Department Form No.24,the same calling for the payment of twenty dollars for the voyage if not more than thirty days,and thirty dollars for the voyage if over that time,and beyond these sums the Master makes no further claims.

The seaman Alfred Johnson,whom I discharged from the American ship "Clarence S.Bement",of Philadelphia,Penna.,had the sum of sixty six dollars and eighty three cents paid into this Consulate General,being the arrears and one months extra wages due him,which will pay his Hospital expenses and passage to the United States and leave a small balance due to him. The full amount of arrears will be and extra wages will be accounted for in my relief of seamen for the present quarter.

I send the said seaman home under the advice of the Hospital physician,who informed me that he was quite able to make the voyage,and I could see no good in waiting to send him until the seaman became an actual charge to the Government. I also account to the Government for the small balance due the seaman for the purpose of having it remitted to to him or to meet any further expenses the Government may incur

on

CONSULATE GENERAL U. S. A.,

on his behalf. The Consular Regulations give no instructions regarding an incident of this kind.

Seaman Joseph West, whom I discharged from the ship "Sam Skolfield", of Brunswick, Maine, Geo.L.Skolfield, Master, was unfit for further service as a seaman. I enclose the ship's account with this seaman, the same duly verified; also the physician's certificate regarding his ailments. You will notice that the Master of the ship has protested against the charge of one month's extra wages, his reason, according to his statement, is that the seaman was suffering from the rupture prior to his shipping on the vessel for tthe present voyage, The evidence on this point being insufficient and unsatisfactory I concluded to demand the one month's extra wages and leave the settlement of the question to the Government, which is in accord with the Consular Regulations, paragraph 211. The balance due this seaman, from the extra month's wages is fourteen dollars and eighty six cents, the said seaman being in debt to the ship to the extent of one dollars and fourteen cents, all of which will be accounted for in my account for relief for seamen by ~~next~~ present quarter.

A further reason for leaving the ques- of the one month's extra wages for the Government to decide is that even if the seaman had received the injury prior to his joining the ship the injury is of such a serious nature and so apparent at a glance on examination that the Master of the ship must have known it when he shipped the seaman, and he accepted a all risks in shipping him. If he did not know of the injury and failed to examine him I see no reason why the Master should be allowed to ship a man physically unable to do the duty for which he is shipped and then turn him over to the Government for relief a at the first port the vessel enters, and I have not allowed it to be done.

Sometimes Masters try to avoid the payment of one month's extra wages on the plea that the injury was sustained prior to shipment. I am often troubled for proof

proof to sustain or contradict them,as I have only their statements to guide me;and I submit that it might be well to issue a circular of instructions on the subject more direct and positive than the present regulations.

I am,Sir,

Your obedient servant,

W.R. Pereira

Consul General.

CONSULATE GENERAL U. S. A.,

Shanghai, China Sept 25 1896.

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

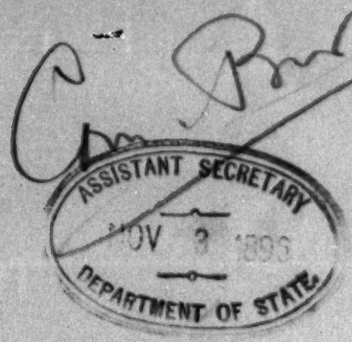
Alfred Johnson and
Joseph West two
sick seamen sent home
in the American Schooner
"Lyman D. Foster"

196

Five

CONSULATE GENERAL OF THE UNITED STATES,

SHANGHAI, CHINA, October 2. 1896.



Hon. W.W.Rockhill,

Assistant Secretary of State,

Washington, D. C.

SIR;

I have the honor to inform you that Consul Hixson, at Foochow, writes me under date of September 25 that he has availed himself of the leave of absence granted by the Department, and as there was no Vice Consul at Foochow he had turned over the office to W. C. Hixson, the United States Marshall there.

In accordance with Section 87 of the Consular Regulations I have written to Minister Denby on the subject, and in compliance with said Section will consult the Minister before making any appointment.

Marshall Hixson is represented to me as a capable and prudent man, and I believe that the interests of the Government will be safe.

I am,

SIR,

Your obedient servant,

W.R. Jernigan

Consul General.

CONSULATE GENERAL U. S. A.

No. 196

CONSULATE GENERAL U. S. A.,

Shanghai, China Oct 7th 1896

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

With reference to W. C. Hixson Marshal at Foochow being left in charge during Consul Hixsons visit to U.S.

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(197)
Ack. 12/7/96

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 29 Oct., 1896.

File

Hon.W.W.Rockhill,

Assistant secretary of State,

Washington,D.C.

S I R:

In complying with Department's circular of May the 24th,informing me that the sum of sixteen hundred dollars per annum was allowed for clerk hire for the fiscal year ending June 30,1897,and directing me to report on the qualifications of the clerk I desire to employ,I have the honor to report that Rufus F.Eastlack,an American citizen,has been clerk at this Consulate General since May 13,1892,and is a most capable officer,having the confidence of all who know him,very agreeable,officially and personally;and I have not desired to make any change.

I enclose a letter in Mr.Eastlack's handwriting,as directed by the circular,stating his age,nationality,and the time he has been connected with this office.

I regret not having answered the circular sooner,but in some way it was overlooked.

I have the honor to be,

S I R,

Your obedient servant,

W. Henry Williams

Consul General.

ENCLOSURE:1,Mr.Eastlack's letter.

No. _____

United States Consulate General

Shanghai, 28th October 1896

J. R. Jernigan Esquire
U. S. Consul General
Shanghai

Dear Sir:

I have had the pleasure to read the Department circular of May the 14th., informing me that the amount allowed for clerk hire of this Consulate General for the fiscal year ending June 30th. 1897, is sixteen hundred dollars, and to thank you for the satisfaction you have expressed for my services as clerk, and your purpose not to make any change. I was born at Philadelphia, Penna. on the 17th of June 1837, and educated at Hancock Grammar and High School of that City. On the 23d. of March 1862 I sailed for China via the Cape of Good Hope, and arrived in Hong Kong in the month of July of the same year. Upon my arrival in China I was engaged as an accountant by an American firm at the port of Macao, South China and remained with this firm until the end of the year 1862; when from that date until the 21st. May 1889 I was the accountant and chief of the general office of the American firm of Frazer & Co at

at Shanghai, North China, I visited the United States in the autumn of 1889, returning to China in January of 1890. From that date until April 30th. 1892 I was engaged as a public and private accountant. On the 15th. of June 1892 I entered the United States Government service as Deputy and clerk Consul General at the port of Shanghai, China, my commission bearing the date of May 13th. 1892.

Very truly yours

Rufus T. Carlock

No. 197

CONSULATE GENERAL U. S. A.,

Shanghai, China Oct 29 1896

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

Complaint with Department Circular of Instructions of May 24th 1894.

198

Oct. Dec 2

CONSULATE GENERAL OF THE UNITED STATES.

INDEX BUREAU REC'D NOV 30 1896 DEPT. OF STATE

SHANGHAI, CHINA, 29 Oct., 1896.

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

S I R:

I have the honor to inform you that on Aug. 2nd, 1896, Richard F. Gray, the jailer of this Consulate General, left to engage in other business, and that I have appointed George A. Derby to that position.

Mr. Derby was born in Warren County, Pennsylvania; is thirty six years old; has resided in Japan and China about five years; and is a man of fair education and of good habits and gentlemanly Deportment.

I am, Sir,

Your obedient servant,

Consul General.

CONSULATE GENERAL U. S. A.,

Shanghai, China Oct 29th 1896.

Mr. J. F. NIGAN,

To the Department of State.

SUBJECT:

Appointment of
Geo A Derby as
Vice & Deputy
Consul at Yenan

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fill

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 29 Oct., 1896.

INDEX BUREAU REC'D. NOV 30 1896 DEPT. OF STATE

Con Bond

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

S I R:

I have had the honor to receive your No. 84, of August 21st, returning my official bond because the sureties were not permanent residents of the United States, and enclosing blank form of bond for me to execute, which has been signed and sent to my home, and it will be properly executed and sent to the Department in due time.

In the note to form No. 2 in appendix to Consular Regulations it is provided that the sureties shall be permanent residents of the United States, but as this proviso does not appear in the instructions which are printed as a note to the blank form of the bonds, I inferred that the requirement had been waived. This inference appeared to be warranted from the fact that bonds have been recently executed by consuls and consular officers in China and accepted by the Department when the sureties thereto were not permanent residents of the United States.

The sureties to my bond returned are worth nearly half a million, and are citizens of the United States, subject to any process of the United States courts, and I respectfully submit that if one Consul is allowed to give as sureties Americans who do not happen to reside in the United States, the rule should be uniform. I am only directing attention, with great respect, to an inconsistent ruling, without meaning to be argumentative.

I am, Sir,

Your obedient servant,

W. Jerricans

Consul General.

CONSULATE GENERAL U. S. A.,

Shanghai, China Oct 29" 1896

Mr. JERNIGAN,

To the Department of State,

SUBJECT:

With reference to
Official Bond

200

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 29 Oct., 1896.

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

Filed

S I R:

I have had the honor to receive your No. 86, of Aug. 22nd, informing me that under separate cover Vol. 163 of the United States Reports had been sent for the official use of this Consulate General. This volume has been received

I am, Sir,

Your obedient servant,

W. Jennings

Consul General.

CONSULATE GENERAL U. S. A.

CONSULATE GENERAL U. S. A.,

Shanghai, China Oct 29th 1896

Mr. JERNIGAN,

To the Department of State,

SUBJECT:

Acknowledges Vol N°163
of the U.S. Reports

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Ans Dec 2.

CONSULATE GENERAL OF THE UNITED STATES.

ASSISTANT SECRETARY'S OFFICE DEC 1 1896 DEPARTMENT OF STATE

SHANGHAI, CHINA, 30th Oct., 1896.

INDEX BUREAU REC'D. NOV 30 1896 DEPT. OF STATE

30 Oct

Hon. W.W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

S I R:

In my No. 196, of Oct. 2, I had the honor to inform you that Consul Hixson, of Foochow, had left his post on leave, and that under Section 87 of the Consular Regulations I had, subject to the approval of Minister Denby, appointed our Marshal at Foochow, W.C. Hixson, to fill the temporary vacancy.

The Minister has approved of this appointment, and I have notified Mr. W.C. Hixson, and, under Section 88, that his title would be Vice Consul in Charge, and that he must give a bond.

Before leaving his post Consul Hixson should have notified me, in order that some suitable person could have qualified and, after proper recognition, taken charge.

I learn from Mr. W.C. Hixson that Consul Hixson left without making hisreport to the date of his leaving, and I have advised that his report be mde out to the date and sent to the Consul at Washington, where he is going and where he can explain to you.

I am, Sir,

Your obedient servant,

W. Mc Carrell

Consul General.

CONSULATE GENERAL U. S. A.,

CONSULATE GENERAL U. S. A.,

Shanghai, China Oct 30th 1896

Mr. JERNIGAN,

To the Department of State,

SUBJECT:

With reference to
Consul Wilson's
at Foochow leave
of absence

Shanghai

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY

INCORPORATED

CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

Nov 26
Dec 28

ASSISTANT SECRETARY
NOV 24 1896
STATE

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FIVE ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:

All Offices (21,000) of the Western Union Telegraph Company and its Connections.

1116a

OFFICES IN GREAT BRITAIN:

LONDON:
No. 21 Royal Exchange, E. C.
No. 109 Fenchurch Street, E. C.

LIVERPOOL: No. 8 Rumford Street.
GLASGOW: No. 29 Gordon St. and No. 4 Waterloo St.
BRISTOL: Backhall Chambers.

NUMBER	SENT BY	REC'D BY	No. OF WORDS.	FROM
	Davis	TO		Shanghai

RECEIVED at Washington D. C. Nov 24th 1896

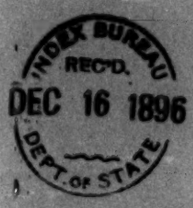
Rockhill Washn (Dc)
Advise Cable approval
Williams for interpreter
Jernigan

CONSULATE GENERAL U. S. A

202

Note

CONSULATE GENERAL OF THE UNITED STATES.



SHANGHAI, CHINA, 31st October, 1896.

CONSULATE GENERAL OF THE UNITED STATES. INDEX BUREAU.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

I have the honor to enclose herewith two marriage certificates:

1.Charles Anderson to Emma Kay,on the ~~the~~ 5th September;

2,Charles Amos Biddle to Rose Francis Williams,on the 29th October.

I have the honor to be,

S I R,

Your obedient servant,

W. Jernigan

Consul General.

ENCLOSURES;2,above noted.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA September 5 1896

I, J. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, do hereby certify that on this 5th day of September A.D. 1896, at his residence on Weller Road in SHANGHAI Charley Anderson aged 59 years, born in Ystad Sweden, and now residing in Shanghai China and Ona Kay aged 27 years born in Tokio Japan and now residing in Shanghai China were united in marriage before me, and in my presence, by Rev. John R. Hykes who is authorized by the laws of the United States to perform such a ceremony.

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI *this* 9th *day of* November, *A.D.* 1896, *and of the* INDEPENDENCE OF THE UNITED STATES *the* 120th.

J. R. Jernigan

U. S. Consul General.

CONSULAR BUREAU. NOTED.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA October 29th 1896

I, J. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, do hereby certify that on this 29th day of October A.D. 1896, at the U.S. Consulate General in SHANGHAI Charley Amos Biddle aged 29 years, born in Columbia California, and now residing in Shanghai China and Flora Frances Wellman aged 30 years born in Dorton Mass and now residing in Shanghai China were united in marriage before me, and in my presence, by Rev John A. Hykes who is authorized by the laws of the United States to perform such a ceremony.

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI this 29th day of October, A.D. 1896, and of the INDEPENDENCE OF THE UNITED STATES the 120th

J. R. Jernigan

U. S. Consul General.

NOTED. CONSULAR BUREAU.

Shanghai instr. 1/4.97.
Foochow " 1/5.97

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 27 Nov., 1896.

INDEX BUREAU REC'D. DEC 28 1896 DEPT. OF STATE

ASSISTANT SECRETARY DEC 30 1896 DEPARTMENT OF STATE.

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D. C.

DIPLOMATIC BUREAU JAN 5 1897

S I R:

Shanghai No. 306, Jan. 6/97.

I have the honor to enclose my No. 306, of the 23rd of November, to Minister Denby with reference to a recent visit to Foochow, under his instructions, and in connection with the investigation and settlement of certain cases in which Americans were interested.

I am, Sir,

Your obedient servant,

W. Henry Lee

Consul General,

ENCLOSURE; One, above mentioned.

No. 707

CONSULATE GENERAL U. S. A.,

Shanghai, China Nov 27 1896.

Mr. JERNIGAN,

To the Department of State,

SUBJECT:

With reference to a
recent trip to
Soochow

306

COPY.

Consulate General of the United States,

Shanghai, 23 Nov., 1896.

S I R:

In obedience to your instruction to "Go to Foochow", I have the honor to report that I left Shanghai on the 9th inst., and arrived at Foochow on the 11th, and that on the 12th I had an interview with the Foochow Taotai with reference to the cases about which you have informed me.

There were two cases:

1. The Churchill oil case;

2. The Tung Ho case

The facts in the Churchill oil case were these:

Mr. Churchill, an American citizen, and our former Vice Consul at Foochow, had leased a house in the interior of the native city, and had stored kerosene oil in it. The Taotai held that a foreigner could not lease a house in the interior of a native city for such purposes; that foreigners should store their goods in go-downs on the river, and Mr. Churchill was not allowed to sell his oil.

I answered that Foochow was a northern port, and that an American citizen had a right to trade and live there, and to lease either to live or for the purpose of trade anywhere within the limits of the port, and that in the exercise of such a right Mr. Churchill had leased a house in the native city, and that property belonging to an American citizen could not be siezed in an open port of China. The Taotai answered that he would have the oil returned to Mr. Churchill. I answered that Mr. Churchill should sell the oil where it then was, but that I would advise him not store any more oil in that place until the subject was considered by you, and that I would then advise in deference to the opinion of the Taotai. This was agreed to and Mr. Churchill is satisfied.

These are the facts in the Tung Ho

case

COPY.

306

Consulate General of the United States,

Shanghai, 23 Nov., 1896.

S I R:

In obedience to your instruction to "go to Mukden", I have the honor to report that I left Shanghai on the 9th inst., and arrived at Mukden on the 11th, and that on the 12th I had an interview with the Mukden Taotai with reference to the cases about which you have informed me.

There were two cases:

1. The Churchill oil case;

2. The Tung Ho case

The facts in the Churchill oil case were these:

Mr. Churchill, an American citizen, and our former Vice Consul at Mukden, had leased a house in the interior of the native city, and had stored kerosene oil in it. The Taotai held that a foreigner could not lease a house in the interior of a native city for such purposes; that foreigners should store their goods in go-downs on the river, and Mr. Churchill was not allowed to sell his oil.

I answered that Mukden was a northern port, and that an American citizen had a right to trade and live there, and to lease either to live or for the purpose of trade anywhere within the limits of the port, and that in the exercise of such a right Mr. Churchill had leased a house in the native city, and that property belonging to an American citizen could not be seized in an open port of China. The Taotai answered that he would have the oil returned to Mr. Churchill. I answered that Mr. Churchill should sell the oil where it then was, but that I would advise him not store any more oil in that place until the subject was considered by you, and that I would then advise in reference to the opinion of the Taotai. This was agreed to and Mr. Churchill's case is satisfied.

These are the facts in the Tung Ho

case

case:

An American citizen,Goerge B.Smythe, and a Chinaman had formed a co-partnership to trade. The articles of co-partnership were registered at the Foochow Consulate,and to show the good intention of the co-partnership,one of the articles expressly provides that the co-partnership shall engage in no business contrary to Chinese law. It appears that goods belonging to Chinese and when taken north of the long bridge over the Min river,must pay likin;and when several boats loaded with the goods of the co-partnership attempted to pass north without paying likin that the boats and goods were siezed.

The Taotai did not claim the right to sieze the interest of the American,and I thought very properly contended that Chinese ought not to be allowed to evade,under a foreign name,the likin dues of their Government. I directed the attention of the Taotai to the artile in the terms of the copartnership providing that it was not the intention of the co-partnership to evade Chinese law,and submitted that under the circumstances a friendly view might well influence a decision. In this the Taotai concurred.

The estimated value of the goods siezed was Taels 1,150.00,most of these goods being of a perishable nature and having been stored for about six months,were of no value;and when the Taotai offered to pay Taels 1,000.00,and release the boats,I accepted the offer. This was also satisfactory to all.

I was most friendly received by the Foochow officials,and the best feeling characterized my intercourse with them,the Viceroy of Foochow sending me to the Shanghai steamer at the Pagoda Anchorage in his steam launch.

With reference to our Vice Consulin charge of the Foochow Consulate,Mr.W.C.Hixson,meddling in smuggling cases,I am convinced that the supposition by the Viceroy and Taotai is due to Mr.Hixson's efforts to have the Tung Ho case,which the officials regarded as a smuggling case,settled. Ther is nothing reflecting upon Mr.Hixson's character,and with

the

case:

An American citizen,George B.Smythe, and a Chinaman had formed a co-partnership to trade. The articles of co-partnership were registered at the Foochow Consulate,and to show the good intention of the co-partnership,one of the articles expressly provides that the co-partnership shall engage in no business contrary to Chinese law. It appears that goods belonging to Chinese and when taken north of the long bridge over the Min river,must pay likin;and when several boats loaded with the goods of the co-partnership attempted to pass north without paying likin that the boats and goods were siezed.

The Tsotai did not claim the right to sieze the interest of the American,and I thought very properly contended that Chinese ought not to be allowed to evade,under a foreign name,the likin dues of their Government. I directed the attention of the Tsotai to the article in the terms of the copartnership providing that it was not the intention of the copartnership to evade Chinese law,and submitted that under the circumstances a friendly view might well influence a decision. In this the Tsotai concurred.

The estimated value of the goods seized was Taels 1,130.00,most of these goods being of a perishable nature and having been stored for about six months,were of no value;and when the Tsotai offered to pay Taels 1,000.00,and release the boats,I accepted the offer. This was also satisfactory to all.

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There is nothing reflecting upon Mr.Hixson's character,and with

the

Americans at Foochow he stands well, the same being true as to other nationalities so far as I could learn.

There appears to be but little concert of action with the Consuls at Foochow. Mr. Hixson informed me that he had repeatedly requested that some definite action be taken by the consular body as to what was understood to be the boundary lines of Foochow, and that the opinion of the Consular body be made known in the proper way to the diplomatic body at Peking, but without success.

To avoid future troubles I respectfully submit the suggestion that the Ministers direct their respective Consuls at Foochow to do what is necessary to lead to an intelligent definement of the boundaries of the port.

Another subject I respectfully submit is this:

The Viceroy of Foochow has appointed the Likin Taotai as an associate of the Grain Taotai in the settlement of foreign matters, and designates the association as the "Foreign Board", and has requested the Consuls to correspond with that board about foreign matters. The communication from the Viceroy to our Consul on the subject was very polite and courteous, and I heard that a similar request had been made of the other Consuls, and that the other Consuls were not inclined to accede. I advised Mr. Hixson to consult his colleagues, to be sure that there was no misunderstanding, but not to decline until he had written to you and received your answer.

With my present knowledge I can see no reason why the Viceroy's courteous request should not be favorably received. A "Foreign Board" at Shanghai with appropriate power would facilitate business here.

Since writing the above I received a personal letter from Mr. Hixson, informing me that the British Consul had complied with the Viceroy's request, but that the other Consuls had refused. Allow me to respectfully submit that Mr. Hixson be directed to comply. I am, Sir, Your obedient servant,

Hon. Chas. Denby. etc., Peking. Sg'd T. R. Jernigan, Consul General.

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Hon. Chas. Denby, etc., Peking.

S. W. R. Jernigan, Consul General.

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ASSISTANT SECRETARY
DEC 30 1896
DEPARTMENT OF STATE

CONSULATE GENERAL OF THE UNITED STATES.

INDEX BUREAU
REC'D.
DEC 28 1896
DEPT. OF STATE

SHANGHAI, CHINA, 27 Nov., 1896.

Ans. 1/4.97.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

With reference to the case of Tsiang, the Chinaman believed to have been illegally convicted and sentenced to death in consequence of the Kiang-yin riot,I have the honor to inform you that when the case was carried for review, by the Provincial court of this province I informed Minister Denby,with the further information that the Provincial court was held in my consular district.

The Minister was of the opinion that I had a right to be present at the re-[redacted], and instructed me to go to Soochow,the place where the Court was in session. My own opinion was that the case had passed beyond our control,but, obeying instructions,I went to Soochow,and soon after my arrival I received a telegram from the Minister that the Tsungli Yamen objected to my being present.

It seems that the Yamen might have been consulted,and the Minister more sure of his ground before sending me his instructions.

Had I been less cautious,the position might have been quite awkward,but knowing the Provinc ial Judge, I met him unofficially,and we talked over the case for some time. He asked me to give him such information as I had received,which I did;noting each fact and its connection.

The Judge gave careful attention to all of my statements,and then remarked that he heard that I had come to Soochow to be present at the trial. I answered that it would first be proper for me to apprise him officially of such a purpose,and since talking with him about Tsiang's case

Can. Bur.

Acknowledging copy of Mr Olney's No. 137 of Dec. 3-'96 to Mr Denby.

NR

I was impressed that he knew how to hear and decide it without my assistance,and that I was disposed to allow him to do so. This was pleasantly said and as pleasantly received,and when leaving the Judge said that he thought I would be satisfied with his decision.

I reported my action to the Minister, and the enclosed copies of letters received from the heads of the mission whose property was destroyed show that allare now satisfied. Mr DuBose has been in China about thirty years,and Mr.Little was an [redacted] the mission building at Kiang-yin when the attack was made on it. He had to flee for his life.

I am,Sir,

Your obedient servant,

[redacted]

Consul General.

Two Enclosures,above mentioned.

No. 203.

CONSULATE U. S. A.,

Chefoo, China, Mar. 27, 1896.

Mr. JERNIGAN,

To the Department of State.

SUBJECT: With reference to the case of Young Kung Yun, not

COPY.

Kiangyin,China,

5th November,1896.

Hon.T.R.Jernigan,

Shanghai,China.

Dear Mr.Jernigan:

It was with a deep feeling of gratitude to you that I learned,a few days since,that Tsiang's sentence had been commuted to short imprisonment. Most highly do we appreciate all that you have done in our behalf,and in behalf of the poor prisoner.

We were sorry to hear of your severe illness,after returning to Shanghai from Soochow. I hopre you are entirely yourself again ere this.

In compliance with your permission Mr. Haden and I have returned to our station. The work of repairing our building is progressing nicely,and we find the people very kind and friendly.

We have received a copy of the proclamation issued by the Viceroy,which seems to cover the ground nicely.

Mr.Haden is in Chinkiang just at present,but I expect him back in the near future. Mrs.Little has not joined us yet;and I was not willing for her to come until we could be sure that everything was quiet here.

Again thanking you,I remain,

Most respectfully yours,

Lucy L.Little

No. 203

China Nov 27 1896

M. TERNIGAN.

To Secretary of State

SUBJECT:

COPY.

Kiangyin,China.

8th November,1896.

Hon.T.R.Ternigan,

Shanghai,China.

Dear Mr.Ternigan:

It was with a deep feeling of grat-
itude to you that I learned,a few days since,that Tsiang's
sentence had been commuted to eight imprisonment. Most highly
do we appreciate all that you have done in our behalf,and in
behalf of the poor prisoner.

We were sorry to hear of your severe
illness,after returning to Shanghai from Soochow. I hope you
are entirely yourself again ere this.

In compliance with your permission Mr.
Hogan and I have returned to our station. The work of repairing
our building is progressing nicely,and we find the people very
kind and friendly.

We have received a copy of the proclam-
ation issued by the Viceroy,which seems to cover the ground
nicely.

Mr.Hogan is in Chinkiang just at pres-
ent,but I expect him back in the near future. Mrs.Little has
not joined us yet,and I was not willing for her to come until
we could be sure that everything was quiet here.

Again thanking you,I remain,

Most respectfully yours,

John P.Little

COPY.

Soochow, 3 Nov., 1896.

My dear Mr. Jernigan;

The pleasant news is that Taiang's sentence has been commuted to a brief imprisonment at Kiangyin and when he is removed to that place it will be very easy to make it briefer. His sentence was Liao Wong "To see at a distance"(at the dead of night). The Judge treated the prisoner with much kindness. He told him that the American Consul General had been to see him about the prisoner. Taiang gladly accepted the light penalty.

Here then is the result of your visit to Soochow, Mr. Jernigan, and all your active efforts in the prisoner's behalf. The man's life is saved. Our mission can go back to Kiangyin and hold its head up. If any further requests about the case the decision of the chief judge "To see a great distance", can be quoted. You saved an innocent man from the rack and the executioner's sword.

My last from you was when you were still in your room and had not recovered from your severe illness. I was off at Changshow the following week.

Very sincerely,

Hampden C. Du Bose.

COPY.

Soochow, 3 Nov., 1899.

Kiangyin, China.

6th November, 1899.

My dear Mr. Tenlgan:

The pleasant news is that Taiang's sentence has been commuted to a brief imprisonment at Kiangyin and when he is removed to that place it will be very easy to make it pretty. His sentence was like "a bee at a distance" (at the end of night). The judge treat ed the prisoner with much kindness. He told him that the American Consul General had been to see him as the prisoner. Taiang gladly accepted the light penalty.

Here then is the result of your visit to Soochow, Mr. Tenlgan, and all your active efforts in the prisoner's behalf. The man's life is saved. Our mission e can go back to Kiangyin and take its head up. I s any further request about the case the decision of the chief judge "to see a great distance", can be quoted. You saved an innocent man from the rack and the executioner's sword.

My last from you was when you were still in your room and had not recovered from your severe illness. I was off at Changshow the following week.

Very sincerely.

Hampden C. Du Bose.

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Mr. Mosher

S

Files

CONSULATE GENERAL OF THE UNITED STATES.

ASSISTANT SECRETARY
JAN 14 1897
DEPARTMENT OF STATE

SHANGHAI, CHINA, 12 December, 1896.

Hon. W.W. Rockhill,

INDEX BUREAU RECD. JAN 14 1897 DEPT. OF STATE

Assistant Secretary of State,

Washington, D.C.

S I R:

On the 24th of Nov, 1896, I had the honor to send you the following telegram which I now confirm:

"Rockhill, Washington,

"Advise cable approval Williams

"for Interpreter.

"Jernigan",

The following answer, hereby confirmed, was received on Nov. 27, 1896:

"American Consul, Shanghai,

"Williams ~~appointed~~ approved.

"Adee",

Mr. E.T. Williams, referred to in the above telegrams, was born at Columbus, Ohio. He has resided in China about nine years, but his home is Cincinnati, Ohio. Mr. Williams is a gentleman of education, a Chinese scholar and of excellent habits and of good social position. He will fill the office to which he has been appointed with satisfaction and credit to the Government.

I am, Sir,

Your obedient servant,

W.R. Jernigan

Consul General.

CONSULATE GENERAL U. S. A.,

Shanghai, China Dec. 12 1896

Mr. JERNIGAN.

To Dept. of State.

SUBJECT.

Interpreter

Aud. & auditor informed.
1/28.97.

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INDEX BUREAU RECD. JAN 25 1897 DEPT. OF STATE

ASSISTANT SECRETARY JAN 26 1897 STATE.

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 23rd Dec., 1896.

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Con. Bond.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

With reference to fees collected for goods in transit,I have the honor to inform you that sometime ago I sent to the Auditor for the State and Other Departments copies of invoices covering the goods in question,and beg that you will request the Auditor to send the same to the Collectors of Customs to compare with their files in order that this Consulate General may be supplied with such information as the records disclose relative to the transhipment of the merchandise".

The circular of August 24th,1893,with reference to this subject would be very much simplified if the Customs officials were instructed to require the consignees or agents at the port of re-shipment to make an affidavit, before delivery,that the merchandise was for re-shipment.

As the invoices covering the transit merchandise shows its character,the affidavit indicated could be made before the Customs officials,and it would be more equitable than to require the Consul to superintend both ends of the line.

The shipper at this port certifies that the merchandise is for ~~shipment~~ transit,and I then give him an invoice covering such merchandise and send another to the port of re-shipment;and I am several thousand miles from that port,and yet the circular requires me to furnish proof that the consignee or his agent at the port of re-shipment shall send me an affidavit that the merchandise was re-shipped to a foreign port.

The merchandise is in the Customs house,

and

CONSULATE GENERAL U. S. A.,

and before delivery the Customs officials could easily demand the affidavit. I submit that this would simplify such cases, and the proof of fraud, if any, would be nearer at hand.

I shall comply, as I always endeavor to do, with instructions; but it seems to me that the circular could be amended in the interest of equity, and of some consideration for the consul.

I am, Sir,

Your obedient servant,

W. Barnes

Consul General.

No. 205

CONSULATE GENERAL U. S. A.

Shanghai, China Nov. 22nd 1926

Mr. JEPNIGAN,

To W. W. Rockhill

SUBJECT:

re. Affidavit concerning re-shipment of Merchandise.

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Note

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 20 Dec., 1896.

INDEX BUREAU
REC'D.
FEB 12 1897
DEPT. OF STATE

CONSULAR BUREAU
RECEIVED

Honorable W.W.Rockhill,
Assistant Secretary of State,
Washington,D.C.

S I R:

I have the honor to transmit herewith a certificate of the marriage in Sept.last of Charles Anderson,a citizen of the United States,and Emma Kay.

I am,Sir,

Your obdeient servant,

M. Jernigan
Consul General.

ENCLOSURE;One,a marriage certificate.

No. 206.

CONSULATE GENERAL U. S. A.

Shanghai, China Dec 29th 1896

Mr. JERNIGAN,

To Hon. W. W. Rockhill.

SUBJECT:

Reporting Marriage of Chas. Anderson and Emma Kay with Certificate

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA Sept. 11th 1896

I, Thos. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, *do hereby certify that on this* 11th *day of* September *A.D.* 1896, *at* 59, Miller Road *in* SHANGHAI Charles Anderson *aged* 58 *years, born in* Sweden, *and now residing in* Shanghai *and* Emma Kay *aged* 25 *years born in* Tokio Japan *and now residing in* Shanghai *were united in marriage before me, and in my presence, by* Rev. Jno. R. Hykes *who is authorized by the laws of* the United States *to perform such a ceremony.*

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI *this* 11th *day of* September, *A.D.* 1896, *and of the* INDEPENDENCE OF THE UNITED STATES *the* 120th

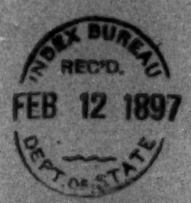
T. R. Jernigan

U. S. Consul General.

CONSULAR BUREAU. NOTED

207

CONSULATE GENERAL OF THE UNITED STATES.



SHANGHAI, CHINA, Jan. 11th, 1897.

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

S I R:

Fil

On looking over the Register of Letters sent from this office it appears that my despatches of Dec. 22nd, 1896, the one acknowledging receipt of your circular of Oct. 21st and the other conveying my report onthe Trade Industries of China, were numbered contrary to rule, the one 206, the other 207. I am under the impression that the mistake is in the Register, only, where the numbers were inadvertently placed opposite them and that the despatches themselves are in due form. I have the honor therefore to request that if said despatches prove to be numbered, you will direct the numbers to be erased.

I am, Sir,

Your obedient servant,

W. Jerricans

Consul General.

No. 207

CONSULATE GENERAL U. S. A.,

Shanghai, China Jan 11 1917

Mr. JERNIGAN,

To Department

SUBJECT:

Probable Variance
in Numbering
Despatches

CONSULATE GENERAL OF THE UNITED STATES.

INDEX BUREAU RECD. MAR 24 1897 DEPARTMENT OF STATE

SHANGHAI, CHINA, 10th Feb., 1897.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

File

S I R:

Referring to my accounts and returns for the quarter ending 31st December,1896,I have the honor to call your attention to the fact that I inadvertently omitted to attach my affidavit to the list of unofficial fees collected during the said quarter and now beg to enclose it in conformity with your circular instruction of October 2nd,1896.

I am,Sir,

Your obedient servant,

W. Jernigan

Consul General.

One enclosure,

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None

CONSULATE GENERAL OF THE UNITED STATES.

INDEX BUREAU
REC'D.
MAR 24 1897
DEPT. OF STATE

SHANGHAI, CHINA, 16 Feb., 1897.

NOTED. INDEX BUREAU.

Hon .W. .W.Rockhill,

Assistant Secretary,

Washington,D.C.

S I R:

I have the honor to transmit herewith a certificate of the marriage of Robert Allen Haden,an American citizen resident at Kiang-yin,to Miss Eugenie C.Hilbold,

I am,Sir,

Your obedient servant,

W. Jernigan

Consul General.

1 Enclosure.

CONSULATE GENERAL U. S. A.,

Shanghai, China February 6 1897

Mr. JERNIGAN,

To the Department of State,

SUBJECT:

Enclosed Marriage
Certificate of Haden
& Hibbold

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA Janry. 2d 1897

I, Thos. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, *do hereby certify that on this* 2d *day of* January *A.D. 1897, at the* U.S. Consulate General *in* SHANGHAI Robert Allen Haden *aged* 32 *years, born in* Keatchie, De Soto Parish, La *and now residing in* Kiangyin China *and* Eugenie C. Hillerbrand *aged* 28 *years born in* Wasselnheim, Germany *and now residing in* Shanghai *were united in marriage before me, and in my presence, by* Rev. John Stevens D.D. D.D.S. *who is authorized by the laws of the* United States *to perform such a ceremony.*

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI *this* 2d *day of* Janry. *, A.D. 1897, and of the* INDEPENDENCE OF THE UNITED STATES *the* 120th

T. R. Jernigan

U. S. Consul General.

CONSULAR BUREAU. NOTED.

CONSULATE GENERAL U.S.A.

(Pr) Acknowledged March 25

CONSULATE GENERAL OF THE UNITED STATES.

INDEX BUREAU RECD. MAR 24 1897 DEPT. OF STATE

SHANGHAI, CHINA, 16 Feb., 1897. 16

REPORT FILED IN Bureau of Statistics, NOT FOR PUBLICATION

BUREAU OF STATISTICS GIVEN TO PRESS. March 25 DEPT. OF STATE

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C,

S I R:

Ihave the honor to enclose a short report on American Cotton at Shanghai,

I am,Sir,

Your obedient servant,

W. Jarvis

Consul General.

One enclosure.

Copy with orig. Enclosures
To Post Mas. Genl. 3/31/97.

ASSISTANT SECRETARY
MAR 29 1897
DEPARTMENT OF STATE

INDEX BUREAU
RECD.
MAR 27 1897
DEPT OF STATE

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 24 Feb., 1897.

Com Dept
To P.M. Gen'l

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

I have the honor to enclose herewith the Imperial Chinese post notification No.20 and a copy of a letter addressed to Hon.N.M.Brooks,the Superintendent of Foreign Mails,with reference to the want of regularity in the carrying and delivery of the mails by the Imperial Chinese post-office and to some of the rules now adopted by the said post-office.

By the rules of the Imperial Chinese post-office the postage on our local mails to the outports,to the various Consulates and to the Legation at Peking will have have to be paid,which will materially incease our postage account.

I have the honor to be,

S I R,

Your obedient servant,

W.R. Carrington

Consul General.

Two enclosures above mentioned.

CONSULATE GENERAL U. S. A.,

Shanghai, China February 24 1897

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

With reference to the
Imperial Chinese
Post Office

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INDEX BUREAU
RECD.
MAR 27 1897
DEPT OF STATE

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 24 Feb., 1897.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

File

S I R:

In compliance with Consular Regulations I have the honor to transmit herewith copy of a Bill of Sale of the Nicaraguan bark "Comet" to Henry Ollerdessen,an American citizen and resident of this port.

The said bark has now been transferred to and sails under the American flag.

I am,Sir,

Your obedient servant,

W. Jernegan

Consul General

One enclosure.

CONSULATE GENERAL U.S.A.

CONSULATE GENERAL U. S. A.,

Shanghai, China February 24 1897

Mr. JERNIGAN,

To the Department of State:

SUBJECT:

Endorsed Bill of Sale of the Nicaraguan Yacht "Comet"

Copy

BILL OF SALE OF A VESSEL.

FORM No. 113.

Know all men by these presents That , H. Julius Conradt, James Stewart and James Kirk _____ _____, owners of the bark Comet, of Corinto, Nicaragua, for and in consideration of the sum of Eight Thousand Mexicom dollars to us _____ _____ in hand paid at or before the ensealing and delivery of these presents, by _____ Henry Ollendorff _____ the receipt whereof is hereby acknowledged, have granted, bargained, sold, assigned, transferred, and set over, and by these presents do grant, bargain, sell, assign, transfer, and set over, unto the said Henry Ollendorff his _____, executors, administrators, and assigns, the said bark Comet _____ together with all _____ her masts, yards, sails, rigging, anchors, cables, boats, tackle, apparel, and appurtenances as she now lies in the Nicaraguan Waters and as she is more particularly described in a certificate of registry granted her at the port of San Francisco by W. H. Merry, Nicaraguan Consul General in the following words:

[Here insert a copy of the register.]

The barque Comet built at Bulgomme, Allemania in 1874, of hard wood and yellow metalled, is barque rigged 167 6/12 feet long, 30 9/12 feet beam, 19 3/12 feet depth of hold and 673 tons net register and is owned as follows: H. Julius Conradt 5/8, James Stewart 2/8 and James Kirk 1/8

To have and to hold the said bark Comet, and the appurtenances thereunto belonging, unto the said Henry Ollendorff his, executors, administrators, and assigns, to the only proper use and behoof, and as the proper goods and chattels of the said Henry Ollendorff his, executors, administrators, and assigns, from henceforth forever; and we, the said H. Julius Conradt, James Stewart and James Kirk for ourselves, our executors and administrators, do hereby covenant and agree to and with the said Henry Ollendorff his, executors, administrators, and assigns, that, at the execution of these presents, we, as aforesaid the true and lawful owners of the said bark called the Comet of Corinto, Nicaragua, with the appurtenances thereunto belonging, and have full right and authority to sell and dispose of the same, and that she is freed from and cleared of all claims, encumbrances, or demands whatsoever.

IN WITNESS WHEREOF we have hereunto set our hands and seals the twenty second day of December, A.D. 1896

Signed sealed, and delivered in the presence of—

C. J. Ashley

R. Maillard

(signed) H. Julius Conradt by his attorney John C. Brodhurst L.S.

(signed) James Stewart by his attorney John C. Brodhurst L.S.

(signed) James Kirk by his attorney John C. Brodhurst

FORM No. 114.

CONSULATE-GENERAL OF THE UNITED STATES OF AMERICA

At Shanghai, December 22d. 1896

I, the undersigned Consul-General, do hereby certify that John C. Brodhurst, attorney of H. Julius Conradt, James Stewart and James Kirk signed and sealed the above bill of sale in my presence and in presence of the witnesses thereto, and acknowledged the same to be his act and deed for the purposes therein mentioned.

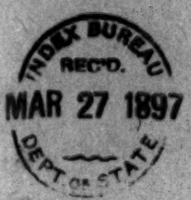
(signed) J. R. Jernegan

U. S. Consul General.

(Consulate General Seal)

copy to Interior with orig. Enclosures. 3/30/97.

CONSULATE GENERAL OF THE UNITED STATES.



SHANGHAI, CHINA, 25 Feb., 1897.

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

S I R:

I have the honor to inform you that in my No. 178 of Aug. 6, 1896, I returned to you certain unexecuted pension papers of Pascal Martin, deceased. In your No. 90, of Sept. 29, 1896, you inform me that the said unexecuted papers had been sent to the Commissioner of Pensions in order that the check may be made payable to Mr. Martin's widow. Since the above information I have received a copy of a communication addressed by the Commissioner of Pensions to the Honorable Secretary of the Interior, enclosing a circular of instructions and a blank form of affidavit for the widow of Mr. Martin to execute, and also a blank form of application for her pension. These forms I have had the widow to execute as early as I could, and I now enclose them.

I am, Sir,

Your obedient servant,

W. Jerningham

Consul General.

Enclosures above mentioned.

CONSULATE GENERAL U. S. A.,

Shanghai, China February 25 1897

Mr. JENNIGAN,

To the Department of State.

SUBJECT:

With reference to

Miss Masters Journals

ASSISTANT SECRETARY
MAR 29 1897
DEPARTMENT OF STATE.

No. 214

Consulate-General of the United States,

INDEX BUREAU
REC'D.
MAR 27 1897
DEPT. OF STATE

Shanghai China, Feb. 27th, 1897.

Mr. J. R. Jernigan

To the Department of State.

Con Desp
Report what
can be done
WR

Subject:

John Paine, an American, in Consular Jail at Shanghai, ~~Insane~~

Abstract of Contents.

Answers Department No. 103 relative to Paine and requests some arrangement by which he may be sent to his home.

No. 214

Consulate-General of the United States,

Shanghai, China, Feb. 27th, 1897.

Honorable W. W. Rockhill

Assistant Secretary of State,

Washington, D. C.

Sir:

In my number 191, of Sept. 24th 1896, I had the honor to inform you that there was an American citizen in this Consular jail, named John Paine, who was insane and that from the best information I had he was a native of Charlottesville, Va.

In your number 103, of Nov. 28th 1896, you enclose a copy of a letter from Charles T. Ferrall, Governor of Virginia, to the Honorable Secretary of State in which the Governor says that he has made diligent inquiry in regard to John Paine and has been unable to find anyone who knows him.

Paine is still in this Consular jail.

His

His health appears good and there are intervals when his mind is lucid. His condition is such that I am unable to send him home without knowing the source from which this Consulate General would be reimbursed for necessary expenses thus incurred. Recently I raised by subscription among Americans here several hundred dollars to defray the expenses of another unfortunate American citizen to his native land and the response of Americans at this port was so liberal that I was enabled to send a competent nurse with him.

In the case of Paine I submit that some definite arrangement be made by which this unfortunate colored American citizen may also be sent to his home.

As stated, Paine appears in good health and is receiving the most kind and attentive treatment. I will mention that he sometimes speaks of a General Bailey whom he calls his friend and for whom he seems to be looking, saying that when General Bailey comes

comes, he will know all about it. I
mention this fact as it may pos-
sibly furnish a clue to the loca-
tion of Paine's home.

I am, Sir,

Your obedient servant,

M. Dervieux

Consul General

Ans. 4/9/97.

15.

ASSISTANT SECRETARY
APR 7 1897
DEPARTMENT OF STATE

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 4th March, 1897.

INDEX BUREAU
RECD.
APR 6 1897
DEPT OF STATE

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

SI R:

In connection with Consul Fowler's No,24,of Feb.24th,with reference to the Postal system China proposes to inaugurate,I have the honor to submit that while I fully appreciate the wish of our Consul at Chefoo in protecting American interest,I do not share his evident alarm of the danger to that interest by China entering the Postal Union.

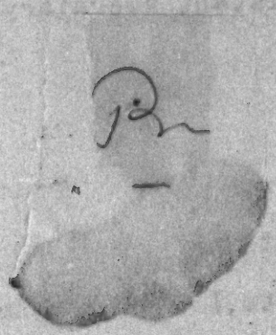
Whatever tends to make China more civilized will certainly be promotive of American interest,for China will then be better prepared to recognize our superior civilization,and will doubtless be more inclined than ever to turn to us;and to be admitted as a member of the Postal Union China will thus be placed in touch with the civilized world by an Agency that will reach every corner of her vast empire.

The inauguration of any new system or polity is naturally attended with inconveniences,but these in time are removed,and my information is that every effort is being made by China not only to enlarge but to render more prompt and certain her mail facilities.

I have not received a word of complaint from any of the other consuls in China,except Consul Fowler. They appear to have made satisfactory arrangements with the local authorities as well as the Customs officers at their respective ports,but it appears impossible to please Consul Fowler. My postal clerk,Mr.Rufus Eastlack,has resided in China over thirty years,and is regarded as one of the best business men at this port;and I know that the utmost care is given to the distribution and forwarding of the mails,

The records of this office show that

Consul



Consul Fowler has been a chronic complainant. No other American Consul ever sent to China is on record at this office as being unable to friendly arrange with the officials at his port about mail matters, and if Mr. Fowler would search for roses instead of thorns he would be more contented and mentally happier.

I am, Sir,

Your obedient servant,

W. Ferguson

Consul General.

CONSULATE GENERAL U. S. A.,

Shanghai, China March 4th 1897

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

U. S. Consul at
Chefoo with reference
to the Postal system
China proposes to
inaugurate

(P.) Acknowledged April 10/97

16

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 5th March, 1897.

INDEX BUR... RECD
APR 6 1897

REPORT FILED IN Bureau of Statistics, NOT FOR PUBLICATION

Honorable W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

I have the honor to enclose herewith a short report on "Trade at the New Treaty Ports of China".

I have the honor to be,

S I R,

Your obedient servant,

M. Jernigan

Consul General.

One enclosure.

CONSULATE GENERAL U. S. A.

No. 216.

CONSULATE GENERAL U. S. A.;

Shanghai, China March 5th 1897

Mr. J. FEIGAN,

To Hon. W. W. Rockhill

SUBJECT:

Report on Trade of new Treaty Ports.

217.

Consulate General of the United States,

Shanghai, 27 March, 1897.

Honorable W.W.Rockhill,

Assistant Secretary of State,

Washington, D.C.

S I R:

I have the honor to inform you that Robert S.Chilton, Jr., Chief of the Consular Bureau, arrived here on Saturday the 20th, and was received by me. Mr.Chilton leaves to-morrow for Japan, and during his stay here all courtesies merited by his official position have been extended, -a pleasure enhanced by his agreeable personal qualities.

Soon afterthe arrival of Mr.Chilton I said to him I would be glad if he would make the most thorough investigation of this Consulate General, and to frankly state to me any irregularities he might detect in conducting the business, and as frankly his opinions; that I fully understood the object of his visit and had instructed the subordinates of the Consulate General to answer in the fullest detail every inquiry he might make of them, as he was acting in the interest of a service of which we were members and desired to perfect. I feel that Mr.Chilton believes my instructions have been obeyed by my subordinates in spirit and in letter. I have placed before him every facility at my command for the most thorough investigation, and the discussion of such points as have arisen during the same have been mutually candid. It now seems proper for me to submit to the Department some of these points.

Mr.Chilton is of the opinion that my numbers in answer to the Department's inquiries with reference to the salaries of the subordinates were not clearly responsive. I have not desired to leave the Department in doubt on this subject, nor has it been my intention to be misleading in my statements, and I am referring to it again in order that there may not be the slightest misunderstanding, but from the information I have a brief preface will be just to me.

When I arrived at Shanghai I found

William

William Dulaney Hunter, Consular Clerk, in charge of the Consulate General, with the rank of Vice Consul General. On the afternoon of the day of my arrival I invited Mr. Hunter to take tea with me in my room, and during the conversation he remarked that he would "hand over" the office to me the next day. I answered that if the quarter wanted ten or fifteen days of being ended he could go on, as I had been travelling for several weeks and needed rest, and that he might have some social obligations to discharge. Mr. Hunter replied that ~~than~~ then he was about the middle of the quarter, and that my telegram to him announcing my arrival at Yokohama and giving the name of the steamer on which I would sail for Shanghai had prepared him for my coming and that he was ready, at any time, to "turn over" the office. I then asked if my exequatur had been received; he answered no, but that I could have the local authority to recognize me, but to this I said that I would not enter upon the duties of the office unless recognized by the Central Government, but in the meantime we would prepare the usual notifications and sign them, leaving the date blank, and when the Legation informed me of the granting of my exequatur, the date could be inserted and the notices sent out; and this was done. The notices and inventory both signed by Mr. Hunter and myself are parts of the records of this office, and have been shown to Mr. Chilton. As I entered upon the duties of my office I remarked to Mr. Hunter that as he was a trained Consular officer I would thank him to direct my attention to any irregularity that might come to his notice or that he might hear of in connection with this Consulate General; that the civil government of the port of Shanghai was confused and complex, and that it was necessary for me to study the port and municipal and court regulations pertaining to the criminal and civil features thereof to equip myself for an intelligent discharge of my duties; that even in our own Consulate General the State, Judiciary and Post office Departments were all represented, and all were independent and governed

by

by independent regulations and laws;that in addition to such a division of duties,in our own Consulate General,there were two municipal councils,two police forces,two mixed courts,the native courts,the court of consuls and the consular body,and a land office for the registration of deeds and leases,which was kept in each Consulate General for the convenience of foreigners. I am particular in stating the above particulars to show that the Consulate General was regularly taken over by me as prescribed by the Regulations,and that I endeavored to form at the outset an idea of the scope of my multifarious duties;and they are such as pertain to no other Consulate General in the world.

I had been in office but a short time before the Interpreter,Walter S.Emens,tendered his resignation. Mr.Emens had been Interpreter for about eight years,and was familiar with the consular business,and not knowing where to find a successor,I requested him to reconsider his resignation until one suitable could be found,which he did.

There came with me,from my State,the present Vice Consul General,I.Erwin Avery,and it was my intention to nominate Mr.Avery for clerk of this Consulate General and to entrust him with the management of the Postal Agency,with the pay allowed for clerkship hire in that Department,but on my arrival I saw that a most competent officer,Rufus F.Eastlack, was clerk of the Consulate General and,as such,in charge of the shipping office,and was managing the Postal Agency,and,also,that the shipping office and the post office were the most minute in detail and difficult to fill of any office in the Consulate General,and should remain in charge of an experienced officer,and and I declined to jeopardize the public service by recommending any change. There was nothing to prevent me from recommending a change,but my first consideration was for the efficiency of the service and this was strong enough to enable me to resist the temptation of nominating Mr.Avery,who was informed of the situation and acquiesced in it. It may be stated here that the amount

allowed

allowed the Postal Clerk of this Postal Agency is twelve hundred dollars;that it was first allowed while Judge Denny was our Consul General here,and,since allowed,it has been expended by the Postal Clerk as he deemed best,to enable him to expedite the opening and delivery of the mails. Such has been the practice under all my predecessors from Judge Denny,and was the practice when I entered upon my duties. In my opinion it is best for for the Postal clerk to dispose of the fund as indicated. If he wants to keep it,let him do so,and if he wants to employ assistance,that,too,may be optional:and it seems that it would be unnecessary for the Postal Clerk to require from every one he may pay a dollar or fifty dollars to sign a voucher. The law says that the money is his,and his voucher,under the circumstances,would be a bar to any other claim to that particular fund. He should also sign the voucher voluntarily and as voluntarily expend the money,and so far as I know this has also been the practice.

Soon after I informed Mr.Avery that the administration of the shipping office and the post office were too difficult and responsible for a new man to undertake to fill,he informed me that he had decided to study Chinese under Mr.Emens,and I said that the office of Interpreter was of a more permanent character and that I would nominate him for it if he proved an efficient student. Mr.Avery and Mr.Emens occupied the same office,the office where the business of the Land Office and Interpreter are conducted,and at the time Mr. Avery was visiting Mr.Emens at his house,saying that he meant to learn Chinese,and that as Mr. Emens intended to resign I understood he was paying Mr.Avery a part of his salary to relieve him,Mr.Emens,of the more onerous portion of his work. Mr.Emens did not consult me on the subject. What he did was entirely voluntary both in signing for and disposing of his salary. It was wholly with Mr.Emens and Mr,Avery. I knew that Mr.Emens was signing his vouchers of his own free will and as

freely

freely disposing of his salary, because I knew I had never desired, or in any way attempted, to influence him, as the enclosed letter from Mr. Emens to you, marked "A", will prove.

Finally Mr. Emens resigned, informing me that he must either resign or give up a favorable business proposition, and that Mr. John R. Hykes, an American citizen, living next to the Consulate building, was a good Chinese scholar, would be convenient to the Consulate, and would act as Interpreter until I could find one suitable. I saw Mr. Hykes: he consented to act, and I informed him the amount of the salary and that it was his to have and dispose of as he voluntarily wished, and that the law gave me no voice in the matter. The enclosed letter from Mr. Hykes to you, marked "B", shows that he understood me, and in my No. 150 of the April 24, 1896, the subject was fully explained. Mr. Hykes is a patriotic American citizen and one of the most reliable and intelligent Americans residing in China, having the confidence and respect of all who know him. I have had the assistance of Americans only, and while the opportunity offered several times for me to nominate an Interpreter I have refused to avail myself of it until I could find a man for the office who was an American, not only in citizenship but in feeling and patriotic devotion to American institutions. I now have such a man for Interpreter, Mr. E. T. Williams, competent in every sense as he is worthy of every confidence.

I hope the Department will appreciate the embarassment under which I have officially lived with reference to the office of Interpreter, but now that I have an Interpreter there will be no more such embarassments.

There is in our Consulate General an officer called the Compradore. The present incumbent has filled the office many years, and first became connected with the Consulate General as a boy employed by Mr. Seward while Mr. Seward was Consul General. The Compradore is allowed a salary by the Government. All money collected is deposited with him. In other words the Compradore is our banking officer, receiving and paying

paying out all money on expense and salary accounts as may be required. When the receipts af the Consulate General are insufficient to meet expenses, at the end of a quarter exchanges are drawn according to the Regulations, negotiated at the Hong Kong and Shanghai Banking Corporation and the proceeds deposited with the Compradore. At the end of the quarter each officer of the Consulate General signs his respective vouchers, disposes of what may be due him in any way he wishes, and keeps his own private account with the Compradore also to suit his pleasure. The plan is convenient to all, prevents errors, and, as the Compradore gives a bond, there is safety in the plan. I do not know how my subordinates keep their private accounts. They are free American citizens and exercise their own judgment on that line.

What has been above written covers the material points discussed by Mr. Chilton and myself, and such as may not be clear Mr. Chilton will explain, and the history of the port and <u>modus operandi</u> of the Consulate General, which I have under consideration and will soon forward to the Department, will, I believe, lead to a clearer understanding.

There is one subject, regarded by me as a private matter, but in connection with which all the facts have been stated to Mr. Chilton; and these are the facts: I had heard before leaving Washington for my post that my Marshal was a man of very intemperate habits, and a young Mr. H.L. Dortch was recommended to me by influential gentlemen of my State for the position, Mr. Dortch being also of my State and of an influential and prominent family friendly to me, but I had never seen Mr. Dortch before reaching Washington. His appearance was good, his manner courteous, and his conversation intelligent. I was favorably impressed by him, and, having served in the State Senate with his brother, Isaac Dortch, of Goldsboro, North Carolina, and being on very friendly terms with him, I have no doubt that after seeing Mr. H.L. Dortch I left him under the impression that I would nominate him for Marshal, but informed him that I could not

do

do so before reaching my new post, and then I would have to give a good reason, and, that to be safe, he had better delay coming. I had not been here long before Mr. Dortch arrived, I did not know that he would come so soon, and I was embarassed, as our Marshal appeared to be honestly endeavoring to reform. Mr? Dortch had not been in Shanghai long before I was convinced that in justice to my Government I could not nominate him, and I wrote Senator Ransom that Mr. Dortch would not hold office in this Consulate General while I was at the head of it. Senator Ransom will so state should he be asked, I hope the Department will accept my conclusion on this point without any reasons. Mr. W. Dulaney Hunter was here at the time, and, in talking about the matter, I said that Mr. Dortch was not a member of the Consulate General and that we were not responsible for his acts. I was anxious for Mr. Dortch to leave Shanghai. Had it been convenient for me I would have made it pecuniarily convenient for him to leave, During my trouble Mr. Shufeldt said to me that he and Mr. Eastlack knew of my embarassments and that they were arranging to have Mr. Dortch leave the port. It was a matter that I could not discuss, but I have always believed that it was understood that I would repay the expenses incurred; such, at least was my belief, and I have more than once remarked to Mr. Eastlack and Mr. Shufeldt if they needed any money to let me know. The matter has remained open longer than I intended, and in talking it over with Mr. Chilton I decided to pay the greater part of the sums advanced by Mr. Eastlack and Mr. Shufeldt while Mr. Chilton was here, which I have done; and Mr, Chilton will do me the justice to explain the whole subject. Mr. Dortch was a member of a family friendly to me and influential, and having incurred some expense partly on my own account, I have been willing, and, when prepared, have paid it. Although the Department may hold that I have acted very silly in allowing myself to be influenced by my friendly feelings as I have, I know that I have not meant to do a wrong, and all is satisfactory. I have indicated that each officer of the Consulate General

keeps

keeps his private accounts, after drawing his salary, to please his fancy. The letter addressed to you by Mr. Eastlack and enclosed in My. No. 171 of the July 31-'96 speaks substantially the truth. Mr. Eastlack keeps his private account as he wishes. He holds the offices of clerk of the Consulate General and of the Postal Agency, with salaries amounting in the aggregate to twenty eight hundred dollars, and to over twenty two hundred dollars when the salary of the Postal Clerk was paid in local currency, though paid him in gold soon after my arrival. I have never known anything about the way he balanced his private accounts, and the Department would not have me to attempt to supervise the private accounts of my subordinates. They would not allow it, nor would I attempt it.

Entering upon my duties near the beginning of a war, the results of which are about to revolutionize the history of China, and confronted by problems new to the administration of consular duties, I feel that I may safely rely upon public sentiment here and elsewhere as to the official and social position of this Consulate General. I have endeavored to serve my Government to the efficient promotion of its prestige and interest. American citizenship cannot rise higher in its ambition and patriotism.

I am, Sir,

Your obedient servant,

W. Derrickson

Consul General.

Enclosures as
recited "A" - "B"

CONSULATE GENERAL U. S. A.,

Shanghai, China March 27 1897

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

Mr Chittone —
visit and subjects
discussed —

Shanghai March 27. 1877

The
Honorable asst. Secy. of State
Washington
D.C.

Sir,

During the time I was Interpreter of the Consulate General here under Consul General Jernigan our relations, both personal and official were always cordial and satisfactory to me.

When Mr. Jernigan arrived I gave in my resignation, but he requested me to reconsider it, until he could find a suitable interpreter. I undertook to assist Mr. Avery in the study of Chinese and he was to assist me in keeping up the records of the Land Office and in other ways in consideration for which I paid him a portion of my salary. The arrangement was made at my suggestion. I signed my salary vouchers and received my full salary always, paying Mr. Avery by orders on the Comprador and in accordance with the usual Shanghai customs.

CONSULATE GENERAL U. S. A.

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Gene
whe

all of this I did without consulting
any one but Mr. Avery. I was responsible
to the Government for the faithful performance
of the duties of Interpreter to the Commissariat
General, from which I received a salary
which I spent as I wished.

Respectfully

W. F. Mims

"B"

Shanghai, China, March 26/97.

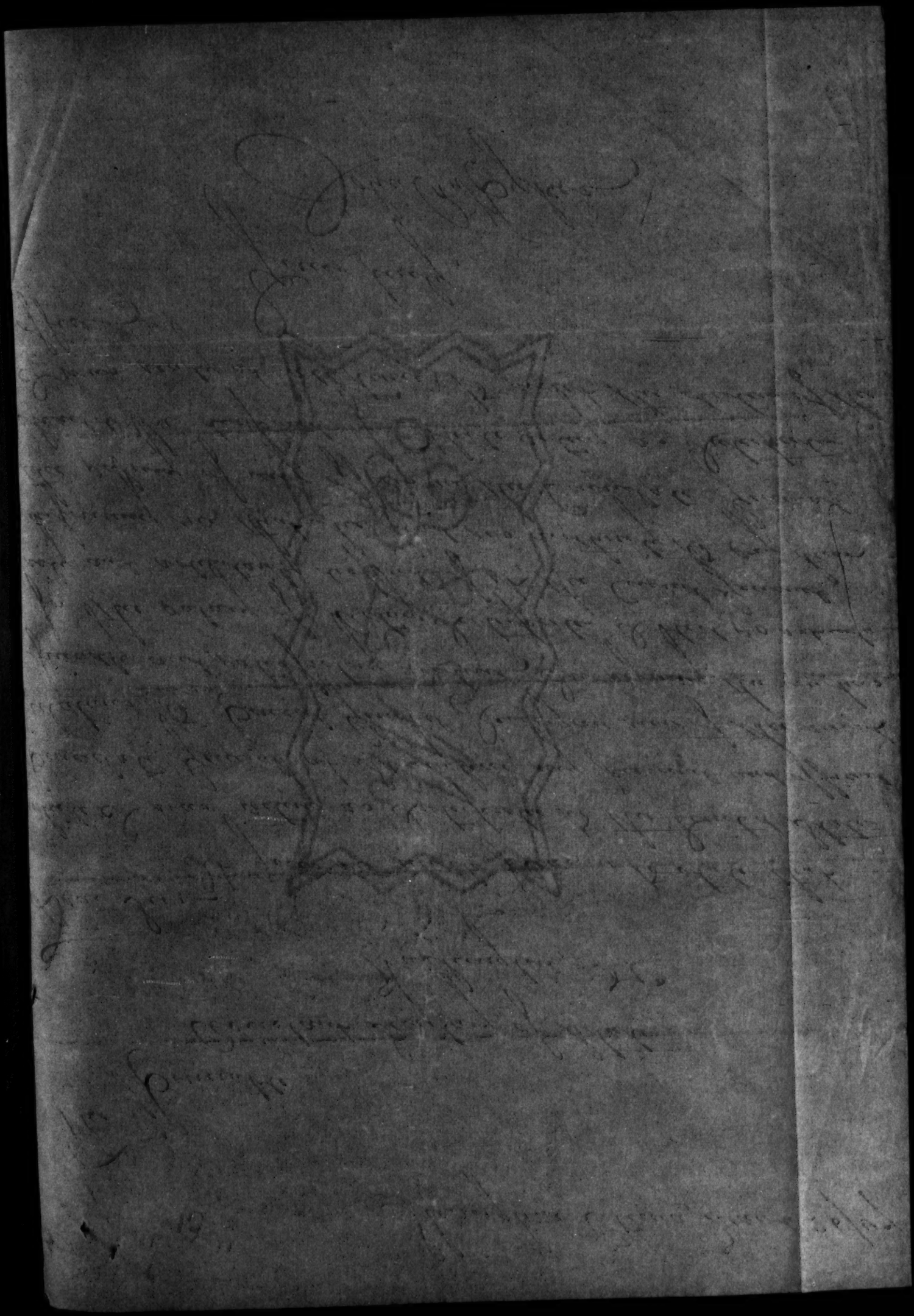
The Honorable
Assistant Secretary of State,
Washington, D.C.

Dear Sir:-

It gives me much pleasure to state that while I was acting as Interpreter to the United States Consulate General at Shanghai, my personal and official relations to Consul General Jernigan were of the most friendly and satisfactory nature. On signing the vouchers for the salary of Acting Interpreter I did so voluntarily and voluntarily disputed of it, the Consul General informing me that he had no authority to pay him the salary of any officer in the Consulate General should he dispense of. While acting as Interpreter I was ready at all times to relet the duties of the office.

Yours truly,

John A. Kyker



218.

ASSISTANT SECRETARY
MAY 6 1897
DEPARTMENT OF STATE.

Consulate-General of the United States,

Shanghai, China, April 3d, 1897.

Hon. T. R. Jernigan

To the Department of State.

Ack'd

Subject:

With Reference to the Consulate-General.

Abstract of Contents.

No. 218.

Consulate-General of the United States,

Shanghai, China April 3d 1897.

Honorable W. W. Rockhill,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to submit for consideration that several months ago I intended to write upon with reference to this Consulate General, but, having read in the news-papers that the Inspectors of Consulates would visit China, in consequence I deferred carrying out my intentions

The organization of the Consulate General is such that one of the very best equipped officers of the Consular Bureau should be kept at Shanghai. This would give the Consul General more leisure and better opportunity to study the movements of trade, now of great importance since the practi-

cal

cal opening of a larger area of China to foreign trade.

In view of the fact that the head of this office is not only a Consul General, but also a Post-master General and Chief Justice with Consular, post office and judicial functions, all governed by separate laws, but centred in the same officer who is required to give two bonds, it will be evident that the Consul General has to rely upon his subordinates for the faithful keeping of the records of the office and he should have by his side an officer of experience. And in this connection I would also recommend that the officer from the Consular Bureau be made Vice Consul-General so as to give him official position and influence, otherwise he will be regarded in official circles as a mere Consular clerk. If the Department should agree with me, there will be no necessity for expending

the

the sixteen hundred dollars now expended here for clerk hire and in the next appropriation bill the salaries of the Interpreter and Marshal ought to be increased. If Americans succeed in enlarging business relations with China, the services of an interpreter will be of more importance than ever and his duties will be materially enlarged.

If the Department should think that prisoners might be as well and safely provided for in the Municipal Jail of Shanghai as in our own jail, then there would be no need of a jailor at a salary of eight hundred dollars a year.

My own opinion is that prisoners could be as well and as safely provided for, the only possible objections having reference to prestige which should be carefully taken into account.

account. I am not aware of any reason why the Marshal could not care for our jail and prisoners and, with some increase of salary, the duties could be agreeably discharged.

There is another matter that merits the most careful consideration: The amount of rent allowed for Consular offices is small for a port like Shanghai, where all property has increased so rapidly in value. With the added allowance for Consular, Post Office and Jail rent we were able to lease a building with suitable rooms and ample space but the location is not appropriate and with only one thousand dollars allowed for rent of Consular building, it will be very difficult, if not impossible to lease a

suitable

suitable buildings, and certainly impossible to secure one in a desirable location. The lease for the building we now occupy expires before a great while and I am now quietly inquiring with a view to future location.

As stated the Consul-General is also Postal Agent and gives bond as Consul-General and as Postal Agent. These two functions should not be combined in the same officer. The Consular functions are sufficient to engage attention and now that China is responding to the influences of Western civilization, the Consul-General will have less time and attention occupied by the standing of commercial subjects. He ought not to be bothered with post-office affairs. True he has a clerk, but his

responsibility is the same and whenever there is delay, often unavoidable, in the mails, the complaints are all sent to him.

In one of my trade reports I gave a brief history of the civil government of Shanghai, showing that it was more complex than that of any port in the world, as evidenced by the existence here of two Municipal Councils, two Mixed Courts, the native courts, the Court of Consular Body, the Consular body, in addition to which each Consul General has his own courts. It is necessary for the Consul-General to understand the modus operandi of all these departments to intelligently advise his countrymen and discharge his duties.

The salaried officers of the Consulate

Consulate General are

Consul General ..... $5,000.

Vice Consul General, no salary but as Postal Clerk receives 1,200.

Deputy Consul General, no salary, but as Clerk receives ... 1,600.

Interpreter ..... 1,500.

Marshal ..... 1,000.

Jailor ..... 800.

Compradore ..... 360.

Chinese Writer ..... 360.

There are three or four Chinese servants. As the Vice Consul-General and the Jailor sleep in the Consulate they have their servant boys. There is an old servant boy who has been in the Consulate for thirty-five years and he looks to the Consul General for compensation. He has proved faithful and I give him money.

The compradore first became connected with the Consulate General when Mr. Seward was

Consul General and has proved satisfactory to every succeeding Consul-General. He is quite an intelligent Chinaman and has two very bright sons one of whom writes and speaks English and is sometimes employed to copy papers at the Consulate relative to Chinese matters. I think though the young man is now attending school.

I am, Sir,

Your obedient servant,

W. Perceval Yorke

219.

ASSISTANT SECRETARY
MAY 6 1897
DEPARTMENT OF STATE

S

Copy to Post. Mas. Genl.
5/8

Consulate General of the United States,

Shanghai, 3rd April, 1897.

Hon. W. W. Rockhill

Assistant Secretary of State,

Washington, D.C.

SIR: Con. Bnd
To P.M.Gen'l

In his No, 56, addressed to the Department of State, Mr. W. C. Hixson, the U.S. Marshal in Charge at Foochow, encloses a letter from the Foochow General Chamber of Commerce addressed to the Honorable the Postmaster General relative to the delivery of the mails in Foochow, and urging that the transfer of mails for that port be made at Shanghai and not at Hong Kong as under the present system. To this letter Mr. Hixson adds his unqualified endorsement, believing that the transfer of the mails direct from Shanghai to Foochow will shorten the time of delivery ten or fifteen days.

I concur with Mr. Hixson, and I desire also to endorse the facts as suggested by the Foochow General Chamber of Commerce.

Steamers leave Shanghai for Foochow every two or three days; and if the desired alteration in the mail delivery be made there can be no ~~further~~ cause for further complaint.

With reference to this mail service I have received a petition addressed to me and signed by all the American residents in Foochow urging that their mails for Foochow be forwarded direct from this port and asking me to use my influence to accomplish that end. In accordance with this request I am to-day writing to the Post Office Department stating the advisability of making the proposed change. The cause for complaint is reasonable; and the present delay in receiving their mails is hurtful to the interests of all the foreign residents of Foochow. I. A. Sir, Your obedient servant,

W. Jerrigan
Consul General.

CONSULATE GENERAL U. S. A.,

Shanghai, China April 3rd 1897

Mr. JERNIGAN,

To 719.

SUBJECT.

Mails.

No. 220.

CONSULATE-GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, April 3d 1897

ASSISTANT SECRETARY MAY 6 1897 DEPARTMENT OF STATE

INDEX BUREAU RECD. MAY 6 1897 DEPT. OF STATE

File

Hon. W. W. Rockhill,
Assistant Secretary of State,
Washington, D. C.

Sir:-

I have had the honor to receive a volume of the Consular Regulations for 1896. From the Schedule of Fees I am glad to observe that the Department is abolishing the distinction between official and unofficial fees. All fees should belong to the Government and Consular officers paid a proper salary.

This will prevent the unpleasant and annoying issues that sometimes arise between and officers and the Accounting Department.

I am, Sir, your obedient servant,

W. Perceval Bunker

CONSULATE GENERAL U. S. A.,

CONSULATE-GENERAL U. S. A.,

Shanghai, China April 3rd 1897.

Mr. JENKINS,

To the Department of State.

SUBJECT.

Acknowledging receipt of Consular Regulations.

221

Ill

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 14 April/ 1897.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

With reference to Consul Smithers' No. 9,of March 27,informing you that he had nominated Mr.William Tsing Laisun,a Chinese subject,Interpreter for the Chungking Consulate,and had notified me in accordance with the Regulations,I have the honor to report that I have approved of the Consul's action and so informed the Minister.

To the first despatch written to you by the Consul,in which he expressed the wish to have Mr.Laisun appointed Interpreter,I made a note indicating that possibly, by some delay,an American might be found for the position and that I thought it unadvisable to have Chinese subjects for interpreters in our Consulates in China. Such is my opinion still;but our Consul at Chungking needs an Interpreter now,and, as I hear good reports of Mr.Laisun,I am not aware of any reason,except the general principle indicated,why the nomination should not be approved.

I have the honor to be,

S I R,

Your obedient servant,

W. Jaranigan

Consul General.

CONSULATE GENERAL U. S. A.,

No. 171

CONSULATE GENERAL U. S. A.,

Shanghai, China April 14 1897

Mr. J. E. MIGAN,

To the Department of State.

SUBJECT:

Chinese Interpreter
at Chungking.

Separate

File

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 15 April, 1897.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

In compliance with the circular of the Department of State,dated Jan.12,1897,I have the honor to enclose a list of American citizens residing in this consular district and to respectfully submit that the list would have been forwarded earlier but for the difficulty in getting an accurate list.

I am,Sir,

Your obedient servant,

Consul General,

One enclosure.

CONSULATE GENERAL U. S. A.,

Shanghai, China April 15 1897

Mr. JERNIGAN,

To the Department of State,

SUBJECT:

Enclosed list of
of American citizens
residing in this
Borderlar District

REVISED

REGISTER OF AMERICAN CITIZENS.

U. S. CONSULATE GENERAL, SHANGHAI, CHINA.

(1)

NAME.	PLACE OF BIRTH.	OCCUPATION.
Allen, Young J.	Burke Co., Georgia	Missionary, 10, Quinsan Rd.
Ashley, C. J.	Pembroke, Mass.	Sailmaker, 53/56, Tsing poo Road
Anderson, Charles	Malmo, Sweden	Mariner, Miller Road
Ayers, George B.	New York City	Pressman
Anderson, Frederick	Calsburg, Sweden	Mariner
Avery, I. Erwin	Morganton, N. C.	Lawyer, U. S. Consulate
Anderson, Charles	Ystan, Sweden	Mariner U. S. N., Hongkew Fire Station
Anderson, D. L.	South Carolina	Missionary
„ D. L., (Mrs.)	Virginia	
Atkinson, (Miss) J.	Alabama	Missionary, 4, Thibet Road
Anderson, (Miss) Ida	Georgia	Soochow
Bisbee, A. M.	Plympton, Plymouth Co., Mass.	Coast Inspector, I. M. Customs
Bradbury, L. J.	Philadelphia, Pa.	Engineer
Bassett, Thomas	New Bedford, Mass.	Mariner, 56, Bubbling Well Road
Boone, Henry William	Batavia, Island of Java	Physician, 4, Minghong Rd.
Boone, Henry W., (Mrs.)	Michigan	
Bennett, Charles C.	Beverly, Mass.	Merchant, Mustard & Co.
Bennet, George W.	Portland, Maine	Boarding-house keeper, Cleveland House
Buchanan, W. George	Bath, Maine	Master Mariner, Mustard & Co.
Blethen, G. C.	Phipsburg, Maine	Mariner
Brown, Theodore B.	Boston, Mass.	Mariner
Burton, Henry	Philadelphia, Pa.	Municipal Council Surveyor's Office
Berninger, (Miss)	Pennsylvania	Missionary, West Gate S'hai.
Britton, T. C.	Northampton Co., N. C.	Missionary, S. Bap. M. S'hai.
Bryant, Nelson E.	Plympton, Mass.	I. M. Customs
Brown, Oswald E.	Canton, Mo.	Missionary
Beach, James Henry	Malone, N. Y.	Yangtze Pilot
Biel, August	Hoboken, N. J.	U.S.S. "Concord"
Bellapo, Raymond	Manila	Cook
Barchet, Stephen P.	Annapolis, Md.	Missionary Physician, Am. Bap. Mission, Kin Hwa

REVISED

REGISTER OF AMERICAN CITIZENS.

U. S. CONSULATE GENERAL, SHANGHAI, CHINA.

NAME.	PLACE OF BIRTH.	OCCUPATION.
Barchet, Mary E.	Annapolis, Md.	Missionary
Bernard, Gustave	New York City	Merchant, Shanghai
Brown, Frank W.	Washington, D. C.	Merchant, 17, Foochow Rd.
Brennan, W. H.	Kiukiang, China	Customs Official
Brennan, Julia	London, England	
Biddle, C. A.	Oakland, California	I. M. Customs
Binard, Fred	New York City	Mariner
Bridge, Lillie F.	Bethany, Conn.	Missionary, Inland Mission
Barron, Charles E.	St. Clair, Mich.	Bookkeeper, Central Stables
Bailie, Joseph	Ireland	Missionary, A. Presb. Mission
Boardman, (Miss) E.	Alabama	Missionary, Hangchow
Bomar, (Miss) M.	Virginia	Missionary, 82, Rue Palikao
Boynton, (Miss) E. M.		Missionary, Am. Baptist Miss.
Bryan, R. T.	Kenansville, N. C.	Missionary, „ „ „
Burdick, (Miss) S. M.	Alfred, N. Y.	Missionary, West Gate
Burke, W. B.	Georgia	Missionary, Soochow
Blaine, J. Mercer	Virginia	Hangchow Dist.
Cook, M. H.	Weymouth, Mass.	Sailmaker & Rigger, 1061, Broadway
Conklin, David	Canterbury (New Cornwall) N. Y.	Tide Surveyor, I. M. Customs
Cocker, W. E.	Clifton, S. C.	Missionary
Crozier, William N.	Paris, Ill.	Missionary, Am. Presb. Miss
Crozier, Sue Blake	Miccosukie, Fla.	Missionary, „ „ „
Crofts, D. W.	West Point, Ohio	Missionary, Ichang
Conklin, Louis Eldridge	Honam, Canton, China	
Conly, Charles	Boston, Mass.	Mariner
Cobb, Lilian	Mt. Cobb, Pa.	Missionary, Woman's Union Miss.
Caldwell, C. N.	Alabama	Missionary, 5, Park Lane
Caldwell, (Mrs.)	Kentucky	Missionary
Campbell, (Miss) J. P.	Georgia	Missionary, Soochow
Coffey, (Miss) E. R.	Virginia	Missionary
Coffey, J. J.		Clerk, Municipal Council

REVISED

REGISTER OF AMERICAN CITIZENS.

U. S. CONSULATE GENERAL, SHANGHAI, CHINA.

NAME.	PLACE OF BIRTH.	OCCUPATION.
Cossum, W. H.	New York City	Missionary, Ningpo
Crummer, (Miss) L.	Illinois	Missionary, St John's College
Cunningham, (Miss) E. W.	Huntingdon, Pa.	Missionary, Ningpo
Corbin, (Miss) H. L.	Ypailanti, Mich.	Missionary, „
Cogdal, Mary E.	Petersburg, Ill.	Missionary, South Gate
Caughell, John	California	Mariner, Miller Road.
Davidson; David	Sevalk, Russia	Manufacturer, Family Hotel
Danforth, Albert W.	Boston, Mass.	Mech. Engineer, 35, Szechuen Road
Davis, D. H.	New Bremen	Missionary, West Gate
Drury, B.	Boston, Mass.	Mariner
Dunning, E. H.	Georgetown, Del.	Merchant, Astor House
Dubarry, P. R.	Tarbes, France	I. M. Customs
Dooly, John S.	New York City	Clergyman
Dreyer, F. C. H.	Dunmore, Pa.	Clergyman, Kuh Wu Shansi
Derby, Geo. A.	Warren Co., Pa.	Physician, U. S. Consulate
Docter, Alexander	Milwaukee, Wis.	Bookkeeper, Central Hotel
Dalston, Charles	Shetland Islands, Scotland	Mariner, I. M. Customs
Davis, John W.	North Carolina	Missionary, Soochow
Dodson, (Miss) S. L.	Virginia	Missionary, St. John's Col.
Doolittle, (Mrs) L. J.		Missionary, Hangchow
Du Bose, H. C.	South Carolina	Missionary, Soochow
Downing, (Miss) M. A.		Missionary
Ellis, H. P.	Castine, Maine	Mariner
Eastlack, R. F.	Philadelphia, Pa.	Deputy Consul-General, U. S. Consulate
Eastlack, Walter R.	Philadelphia, Pa.	Merchant, China & Japan Trading Co.
Endicott, R. R.	Macao, China	Clerk, David Sassoon, Sons & Co.
Ehrenberg, Gus.	San Francisco, Cal.	Clerk
Ellis, George W.	Brooklyn, N. Y.	Mariner
Evans, R. L.	Berlin, Wis.	Missionary, C. I. Miss., S'hai.
Earle, Thomas F.	San Francisco, Cal.	Mariner, Shanghai Gas Co.
Emens, W. S.	Sand Lake, New York	Merchant, Am. Trading Co.

REVISED

REGISTER OF AMERICAN CITIZENS.

U. S. CONSULATE GENERAL, SHANGHAI, CHINA.

NAME.	PLACE OF BIRTH.	OCCUPATION.
Foss, Frank E.	Lowell, Mass.	Mariner, Shanghai
Farnham, J. M. W.	Lebanon, York Co., Maine	Clergyman, 72, Range Av.
Fuller, Alex.	East Boston, Mass.	Mariner
Friend, A. T.	Gloucester, Mass.	Mariner, Mustard & Co.
Flagg, Asa Edward	Newcastle, Maine	Mariner, 27, Seward Road
Fuller, Darius S.	Newton, Mass.	Engineer
Forsberg, Emma	Ransater, Sweden	Missionary, Inland Mission
Fawcett, W. E. A.	Brooklyn, N. Y.	Mariner
Fletcher, Geo. V.	Somerville, Mass.	Salesman
Fearn, J. B.	Mississippi	Missionary, Soochow
Fitch, Geo. F.	Avon, Ohio	Missionary, A. Pres. Mission Press
Fitch, Mary M. (Mrs.)	North Adams, Mass.	
Fleming, (Miss) S. E.	Georgia	Missionary, S.P.M. Soochow
Franklin, B. H.	Tennessee	Missionary, Hangchow
French, (Miss) E. B.	Virginia	Missionary, Hangchow
Graves, F. R.	Auburn, N. Y.	Clergyman, St. John's Col.
Gilchrist, Edward	Boston, Mass.	I. M. Customs
Greenlaw, W. W.	Stockton, Cal.	Horse Breaker, &c.
Gates, M. J., Dr. (Miss)	Michigan	Physician
Gray, A. V.	Gambier, Ohio	Missionary, China Inland Mission
Green, Jno.	Logansport, Indiana	Clerk, Daily Press
Giffen, Edward E.	Beardstown, Ills.	Missionary, Chengtu
Giffen, (Mrs) E. E.	Springfield, Ind.	Missionary, Chengtu
Graves, Gertrude	London, England	Missionary, Funghwha
Gaither, (Mrs.) Julia A.	Dahlonega, Ga.	Missionary, 4, Thibet Road
Gaynor, Lucy A., Dr.	Ballengry, Ireland	Missionary Physician, Nanking
Gale, (Miss) M., Dr.		Missionary Physician, W. U. Miss.
Garner, (Miss) E., Dr.		Missionary Physician, West Gate
Garritt, J. C.	Hanover, Indiana	Missionary, Hangchow
Garritt, Nannie Mc. D.	Warm Springs, Virginia	
Gary, (Miss) E.	Georgia	Missionary, 4, Thibet Road

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REGISTER OF AMERICAN CITIZENS.
U. S. CONSULATE GENERAL, SHANGHAI, CHINA.

NAME.	PLACE OF BIRTH.	OCCUPATION.
Graves, (Miss) A. T.	Virginia	Soochow
Gray, H. L.	Georgia	Missionary, Soochow
Goddard, J. R.	Singapore	Missionary, Ningpo
Grant, J. S.	Canada	Missionary Physician, Ningpo
Gates, Wm. A.	Portland, Or.	Engineer, 22, Yuhang Road
Hjousbery, Edward	Brooklyn, N. Y.	Pilot, Mustard & Co.
Haskell, F. E.	Boston, Mass.	Merchant, C. & J. Tradg. Co.
Haskell, F. H.	Hongkong, China	Clerk, „ „
Hunter, A. C.	Maçao, China	Accountant, 2, Canton Road
Hyzer, Henry	Catskill, New York	Engineer
Hall, J. Ward	Piqua, Ohio	Doctor of Dental Surgery, 2, The Bund
Horwitz, Lena	Vienna, Germany	Quinsan Road
Horton, Wm.	Chester, N. J.	Mariner
Hendry, J. L.	Taylor's Creek, Ga.	Minister, 4, Thibet Road
Horton, G. W.	Chester, Pa.	Cotton Spinner, Cotton Cloth Yarn Co.
Hooker, Wilbur C.	Springfield Township, Bradford Co., Pa.	Missionary, Kuch'eng
Herrick, Lizzie A.	Buffalo, N. Y.	Tailoress
Hunt, Robt. H.	Central Falls, R. I.	Standard Oil Co. of New York
Harrison, Wm. A.	Brooklyn, N. Y.	Bookkeeper, Shanghai Engine Works
Hart, Edgerton H.	Kiukiang, China	Physician, Wuhu
Holme, Margaret A.	Kendal, Westmoreland Co., England	Missionary, Nankin
Hanson, H. J.	Fredreisstd, Norway	Mariner
Hahn, Paul	Berlin, Germany	Mariner
Houston, H.	San Francisco, Cal.	I. M. Customs
Hastings, F.	Elko, Nevada	Telephone Operator, Customs
Hammond, Winthrop C.	Manchester, N. H.	Druggist
Hykes, John R.	Shippensburg, Pa.	Agent Am. Bible Society, Shanghai
Howard, Robt. P.	Philadelphia, Pa.	Merchant, Shanghai

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U. S. CONSULATE GENERAL, SHANGHAI, CHINA.

NAME.	PLACE OF BIRTH.	OCCUPATION.
Hykes, Rebecca S.	Fairfield, Pa.	Am. Bible Society, Kiukiang Road
Hayes, J. N.	Windham, N. Y.	Missionary, Soochow
Haygood, (Miss) L. A.	Georgia	Missionary, 4, Thibet Road
Hearn, T. A.	Arkansas	Missionary, Soochow
Holmes, T. D.	Gloversville, N. Y.	Missionary, Kin Hwa
Hughes, (Miss) L. E.	Miss.	Missionary, 82, Rue Palikao
Haden, R. A.	Keatchie, La.	Kiangyin
Haden, (Mrs.)	Germany	"
Jordan, M.	Belfast, Ireland	Sanitary Department, S.M.C.
Jensnes, Frank U.	Dunkerk, France	Seaman
Jewell, Martha W.	Brentwood, N. H.	Missionary Teacher, S'hai
Johnson, John F.	Nagasaki, Japan	Coal Merchant
Johnson, D. S.	New York, N. Y.	I. M. Customs
Jones, David Frederick	London, England	Missionary, Am. Bible Society
Johnson, Lewis M.	Yarmouth, Nova Scotia	Hotel Keeper, Astor House
Judson, J. H. & Mrs.	Hangchow, China	Missionary, Hangchow
Jenkins, H.	Ashfield, Massachusetts	Missionary, Shaoshing
Jernigan, T. R.	North Carolina	U. S. Consul General
Junkin, W. F.	Va.	Missionary, Hsüchien
Knights, Arthur Ed.	Cambridge, England	Mariner, 54, Szechuen Rd.
Kenny, W. C.	New York City	Mariner
Keys, Edward	Savannah, Georgia	Seaman
Knickerbocker, Edgar F.	Milan, Washtenau Co., Mich.	Missionary, Ninghai
Knickerbocker, Minnie M.	Hanvich Farm, Pa.	Missionary, "
Kerr, Maggie A. S.	Shanghai, China	Tientsin
Keller, Frank A.	Minden, N. Y.	Medical Missionary, S'hai
Keller, Joseph W.	St. Paul, Minnesota	Clerk
Kelly, (Miss) W.	Wilcox Co., Alabama	Missionary, 82, Rue Palikao
Kennedy, E. B.	Galesville, Wis.	Missionary, Ningpo

REVISED
REGISTER OF AMERICAN CITIZENS.
U. S. CONSULATE GENERAL, SHANGHAI, CHINA.

NAME.	PLACE OF BIRTH.	OCCUPATION.
Luther, C. F.	New Bedford, Mass.	I. M. Customs
Loehr, Geo. R.	Elberton, Ga.	Missionary, South. Meth. Miss.
Lindley, Wm. P.	Sacramento City, Cal.	Newspaper Reporter
Lunt, W. H.	Salem, Mass.	Mariner
Lehman, Max	Chicago, Ill.	Merchant, Weil & Lehman
Lehman, Charles	Chicago, Ill.	Merchant, " "
Lunt, (Mrs.) W. H.	Durham, N. H.	
Lent, Robt. R.	New York City	Engineer, Shanghai
Lavenroth, Sarah	San Francisco, Cal.	Travellers, Hongkew
Lawrence, John	Rochester, N. Y.	Mariner
Lambuth, R. W.	Shanghai, China	Manager, Steam Boat Company, Soochow
Levy, Samuel J.	New York, N. Y.	Hotel Manager, Astor House
Lund, Oscar	Bergen, Norway	Mariner, Shanghai
Lyman, Verner G.	Galema, Ill.	Am. Bible Society, Shanghai
Lyman, Lillian J.	Croton, Mich.	" " "
Little, Lacy L.	N. C.	Missionary, Kiang Yin
Lorentzen, J. L.	Brooklyn, N. Y.	I.M. Customs, Shanghai
Lyon, D. N.	Salisbury, N. Y.	Missionary, Soochow
Mustard, R. W.	Lewes, Delaware	Merchant, Mustard & Co.
Morehouse, W. Noyes	Utica, Oneida Co., N. Y.	I.M. Customs, Shanghai
Moorehead, T.	Marshfield, Mass.	" " "
McCreery, James H.	Belfast, Ireland	Mariner
Morse, Harry	San Francisco, Cal.	
Morley, Anna Elisabeth	Hartford, Conn.	Missionary, Wesleyan Miss.
Matson, Peter	Dalarne, Sweden	Missionary, Fan Cheng
McCaslin, Charles	Rockland Co., N. J.	American Trading Co.
McGrath, John James	New York City	I.M. Customs
Mason, (Mrs.) G. W.	Edinburgh, Fife, Scotland	Lady Resident
Moore, (Miss) C. L.	San Francisco, Cal.	Nurse
Membert, Charles E.	Stuyvesant, Columbia Co.	Engineer

REVISED
REGISTER OF AMERICAN CITIZENS.
U. S. CONSULATE GENERAL, SHANGHAI, CHINA.

NAME.	PLACE OF BIRTH.	OCCUPATION.
Mullen, H. W.	Boston, Mass.	Mariner, I.M. Customs
McMorrow, John J.	Brooklyn, N. Y.	" " "
Macarthur, James	Baton Rouge, La.	Bookkeeper
McKinley, James	Brooklyn, N. Y.	Clerk
Melvin, Marietta	Goffstown, N. C.	Missionary, West Gate, S'hai.
Mason, G. L.	Ohio	Missionary, Huchow
Mattox, E. L.	Winterset, Iowa	Missionary, Hangchow
Mattox, Emma K.	Hillsboro, Ohio	Missionary, Hangchow
McGinnis, J. Y.	Tennessee	Missionary, Wusih
Morton, (Miss) Annie R.	New Brunswick, N. J.	Missionary, Ningpo
Montell, A. M.	Baltimore, Md.	I.M. Customs
McMichael, J. H.	New York	Frazar & Co.
Moscher, G. E.	Albany, New York	St. John's College
Moscher, (Miss) S. B.		
Null, R.	Philadelphia, Penn.	Mariner, Mustard & Co.
Nye, Daniel B.	Sagamore, Mass.	Dentist, Shanghai
Ollerdessen, H.	Ningpo, China	Clerk, Morris & Co.
Prevost, James F.	New York City	Engineer
Parker, J. M.	Portsmouth, Virginia	I.M. Customs
Pratt, Nicholas	Cohassett, Mass.	Mariner, Mustard & Co.
Penguet, Eug.	New York City	Clerk
Parker, A. P.	Austin, Texas	Missionary, Anglo-Chinese College
Parker, A. P. (Mrs.)	Trenton, N. J.	
Patterson, W. F.	Belfast, Maine	Mariner, Mustard & Co.
Parry, L. Rodgers	Charleston, S. C.	Mariner
Pike, Charles A.	Shanghai, China	Dentist, Chapoo Road
Poindexter, Sarah A.	Savannah, Ga.	Physician, Chinanfoo
Potter, W. W.	Wyandotte, Mich.	Agent
Painter, G. W.	Virginia	Missionary, Hangchow
Palmborg, Rose, Dr.	Sweden	Missionary, West Gate
Park, W. H.	Georgia (Lafayette)	Missionary Physician, Soochow
Parker, R. A.	Springfield, West Virginia	Missionary, Sungkiang
Partch, E. George	Howard County, Iowa	Missionary, South Gate
Patterson, B. C., and wife	Virginia	Missionary, Tsingchiu foo

REVISED
REGISTER OF AMERICAN CITIZENS.
U. S. CONSULATE GENERAL, SHANGHAI, CHINA.

NAME.	PLACE OF BIRTH.	OCCUPATION.
Paxton, J. W.	Virginia	Missionary, Soochow
Posey, (Miss) M. A.	Henderson, Kentucky	Missionary, South Gate
Pilley, E.	Texas	Missionary
Pott, F. L. H.	New York	Missionary, St. John's College
Price, Lottie	Philadelphia, Penn.	Missionary, Old North Gate
Price, P. F.	Va.	Sinchang
Price, P. F. (Mrs.)	S. C.	Sinchang
Pyles, (Miss) M. E.	Va.	Missionary, 4, Thibet Road
Quackenbush, Edgar		Merchant, Geo. H. Macy & Co.
Robbins (Mrs.) Esther	Odessa, Russia	Frenchtown, Shanghai
Reid, C. F.	Binghamton, N. Y.	Missionary, S. Meth. Mission
Roberts, John Pratt	New York City	Marine Supt., 10, Hankow Road
Ragsdale, W. H.	Louisville, Ky.	Municipal Police
Redding, John	Athens, Greece	Mariner
Rosenquist, Olaf J.	Sweden	Missionary
Royall, F. M.	Wawsah, N. C.	Minister
Rosenthal, George L.	Germany	Printer
Reynolds, (Miss) S. B.	Columbia. S. C.	Missionary, 4, Thibet Road
Rohr, Alexander	New York City	I.M. Customs
Rankin, Lottie	Tenn	Missionary, Nantziang
Reifsnyder, E., Dr. (Miss)	Penna	Missionary Physician, West Gate, Shanghai
Ramsay, H. C.	Maryland	Missionary, C. I. Mission
Richardson, Helen L.	Mo.	Missionary, 4, Thibet Road
Righter, (Miss) C. E.	Wilmington, Del.	Missionary, Kinhwa
Rolleston, (Miss) L. M M.	Ireland	Missionary, Ningpo
Robinson, F. A.	Hartford, Connecticut	Dentist, 17, Bund
Smith, John	Belfast, Ireland	Mariner
Sylva, Henry	Lubeck, Germany	Merchant, H. Sylva & Co.
Seaman, John F.	Staten Island, N. Y.	Merchant, Wisner & Co.
Sinclair, Edward	New York City	Mariner
Smith, J. N. B.	Moro, Ill.	Missionary, Ningpo
Smith, Fannie M. S.	Monroe, Mich.	Missionary
Squier, Burt O.	Fredericktown, O.	Clerk
Silsby, J. A.	Richland City, Wis.	Missionary, South Gate
Stamm, Julius	Alleghany Cy. Pa.	Machinist, I.M. Customs

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REGISTER OF AMERICAN CITIZENS.
U. S. CONSULATE GENERAL, SHANGHAI, CHINA.

NAME.	PLACE OF BIRTH.	OCCUPATION.
Smith, Ralph D.	Marshallstown, Ia.	Missionary, C. I. Mission
Sylvester, W. T.	Gemantown, Pa.	Merchant, Astor House
Sanger, I.	Germany	Dental Surgeon, 6, Bund
Sterling, Isaac	Wilner, Russia	Machinist, Travellers Inn
Sievers, Lewis	Witten, Germany	Mariner
Stegner, W. A.	Minneapolis, Minn.	Nurse
Shoemaker, J. Evans	Lawrence Co., Pa.	Missionary, Ningpo
Shoemaker, Pearl C.	Salma, Iowa	Missionary, „
Saure, E. B.	Cincinnati, Ohio	Clergyman
Spitzel, Adolph	Krakow, Austria	Merchant
Stratton, Owen L.	Syracuse, N. Y.	Missionary, Chefoo
Schmeling, Richard	Stettin, Germany	Carpenter
Schereschewsky, S. I. J.	Poland	Missionary, Astor House
Schereschewsky, (Mrs.)	Brooklyn, N. Y.	
Schereschewsky, (Miss)	Peking	
Silver, (Miss)	Carthage, Indiana	Missionary, South Gate
Smith, (Miss) B.	Alabama	Missionary, Soochow
Steger, (Miss) C. E.	Mo.	Missionary, 82, Rue Palikao
Stewart, (Miss) E.		Missionary, Ningpo
Stuart, J. L.	Ky.	Missionary, Hangchow
Sweet, W. S.	Dodge Co., Wis.	Missionary, Shaohing
Snowden, (Miss) L.		Missionary, „
Shufeldt, Geo. A.	Stamford, Connecticut	Marshal, U. S. Consulate General
Suffert, Thomas	Cleveland, Ohio	Mariner, 24, Yuhang Road
Thistle, Jno. M.	Eastport, Maine	Inspector, Shanghai Gas Company
Thorne, W. W.	Trenton, N. J.	Mariner, I.M. Customs
Thomson, Elliot H.	Loudon Co., Virginia	Clergyman
Thacher, W. J.	Yarmouth Port, Mass.	Mariner, Shanghai
Tatum, E. Frank	Farmington, N. C.	Missionary
Talbort, Bessie	Ky.	Missionary, Kya Hying
Venable, W. H.	Va.	Missionary Physician, Chekiang
Venable, (Mrs.)	Ky.	

REVISED
REGISTER OF AMERICAN CITIZENS.
U. S. CONSULATE GENERAL, SHANGHAI, CHINA.

NAME.	PLACE OF BIRTH.	OCCUPATION.
Woods, George A.	Sedgwick, Maine	Engineer, Broadway, S'hai
Wells, C. H.	Hallowell, Maine	Mariner
Wade, John J.	Boston, Mass.	Mariner
Winsor, Jr., A.	Fairhaven, Mass.	Mariner
Wetmore, W. S.	St. Albans, Vt.	Merchant
White, Wm. F.	Syracuse, N. Y.	Mariner
Weil, Nathan	Gernsheim, Germany	Merchant, Weil and Lehman
Winskell, T. B.	Huntingdon Valley, Montgomery Co., Pa.	Journalist
Washington, George	Brooklyn, N. Y.	Carpenter, (Seaman)
Worthington, G. H.	Woonsocket, Mass.	Cotton Weaver, S'hai
Walsh, Geo.	New York City	I.M. Customs
Watts, John S.	Independence, Ia.	Municipal Police
Wright, Thomas	Warren, R. F.	Mariner, Shanghai
Weatherall, Agnes	San Francisco, Cal.	Nurse
Wyckoff, Lydia Jane	Des Moines Co., Iowa	Missionary Physician, Huchow
Whittlesey, R. B.	Cleveland, Ohio	Clergyman, Kiukiang
Wood, M. Anna	Brownhelm, Ohio	Missionary, Canton
West, James	New Carslile, Ohio	Mariner, Shanghai
Wilkins, George	San Francisco, Cal.	Clerk & Mariner
Warner, Geo.	Hayers Ferry, Md.	Missionary, Ningpo
Wilkinson, J. R.		Missionary, Soochow
Worth, Geo. C.		Missionary, Wusih
Williams, E. T.	Columbus, Ohio	Interpreter, U. S. Consulate General
Young, E. S.	Mansfield, Ohio	Commercial Traveller, A. T. Co.
Young (Miss) A. S.	Hartland, Vt.	Missionary, Kinhwa

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INDEX BUREAU
RECD.
MAY 17 1897
DEPT. OF STATE

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 15 April, 1897.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

I have the honor to report that I am in receipt of a despatch from our Vice-Consul in Charge of the Canton Consulate informing me that our Consular Agent at Swatow,Mr.Jno.Struch,desires to resign at early date.

I have advised the Vice-Consul in Charge to request the Consular Agent to defer his resignation until the matter could be reported to you with the view of abolishing the Agency and arranging for the Canton Consul to visit Swatow when necessary in the interest of public business.

One of the reasons given bythe Consular Agent for desiring to resign is that little importance is attached to his position,and,consequently,he has but little influence with the Chinese officials.

My own experience supports the reason of our Agent,and the higher the official position of our representative,the easier the access to the local officials whose decisions have the greater weight.

I am,Sir,

Your obedient servant,

W. Jerrine Lane

Consul General.

No. 777

CONSULATE GENERAL U. S. A.,

Shanghai, China April 15 1897

Mr. JERNIGAN,

To the Department of State,

SUBJECT:

With reference to the U. S. Consular Agent at Suratow

No 773.

CONSULAR BUREAU. NOTED

CONSULATE-GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, April 16th 1897

CONSULAR BUREAU RECD. MAY 17 1897 DEPT. OF STATE

Sir:

I have the honor to enclose two Marriage Certificates.

1. Thomas F. Earle and Lillian A. Colgan March 27th 1897.

2. David P. Ekvall and Helen E. Galbraith April 15th 1897.

I have the honor to be

Sir:

Your obedient servant

W. Derrington

Consul General.

W. W. Rockhill

Assistant Secretary of State

Washington

D. C.

Two enclosures as above stated.

CONSULATE GENERAL U. S. A.,

Shanghai, China April 16 1907

Mr. JENNIGAN.

To the Department of State.

SUBJECT:

Enclosed two Marriage Certificates.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA, April 13th 1897

I, J. N. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, do hereby certify that on this 27th day of March A.D. 1897, at the U. S. Consulate General in SHANGHAI, Thomas F. Earle aged 30. years, born in San Francisco California, and now residing in Shanghai China and Lillian G. Dolgan aged 24. years born in Hongkong China and now residing in Shanghai China were united in marriage before me, and in my presence, by Rev. John N. Lyster who is authorized by the laws of United States to perform such a ceremony.

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI *this* 13th *day of* April, A.D. 1897, *and of the* INDEPENDENCE OF THE UNITED STATES *the* 121st

CONSULATE BUREAU. NOTED.

M. Jernigan

U. S. Consul General.

CONSULATE GENERAL OF THE UNITED STATES

SHANGHAI, CHINA

I, _____, Consul General of the United States of America at Shanghai, China, do hereby certify that on this _____ day of _____ A.D. 19_____, at _____, _____ aged _____ years, born in _____ and now residing at _____ and _____ and now residing at _____ appeared before me, and in my presence, by _____ duly sworn by the laws of _____ to perform such _____ declared that _____ is a citizen of the United States.

In witness whereof I have hereunto subscribed my name and affixed the Seal of the CONSULATE GENERAL AT SHANGHAI this _____ day of _____ in the year of our Lord one thousand nine hundred and _____ and of the INDEPENDENCE OF THE UNITED STATES the _____.

_____

_____

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA, April 15 1897

I, T. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, *do hereby certify that on this* 15th *day of* April *A.D. 1897, at* No. 8, Seward Road *in* SHANGHAI David P. Tekrall *aged* 26 *years, born in* Sweden, *and now residing in* Minches, Kansas *and* Helen E. Galbraith *aged* 27 *years born in* Syracuse, New York *and now residing in* Wuhu, China *were united in marriage before me, and in my presence, by* Rev. D. W. LeFacheur *who is authorized by the laws of* the United States *to perform such a ceremony.*

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI *this* 15th *day of* April, *A.D. 1897, and of the* INDEPENDENCE OF THE UNITED STATES *the* 121st

CONSULAR BUREAU
INDEXED

T. R. Jernigan

U. S. Consul General.

CONSULATE GENERAL OF THE UNITED STATES

SHANGHAI, CHINA

I, _____, Consul General

STATES AT SHANGHAI, do hereby certify that on this _____ day

A.D. 19__, at _____ in SHANGHAI

aged _____ years, born in _____

and now residing in _____ and _____

and now residing in _____

in marriage before me, and in my presence, by _____

authorized by the laws of _____ to perform such

In witness whereof I have hereunto subscribed my name and affixed the

GENERAL AT SHANGHAI this _____ day of

and of the INDEPENDENCE OF THE UNITED STATES the _____

CONSULATE GENERAL OF THE UNITED STATES

SHANGHAI, CHINA

I, _____, Consul General

STATES AT SHANGHAI, do hereby certify that on this _____ day

A.D. 19__, at _____ in SHANGHAI

aged _____ years, born in _____

and now residing in _____ and _____

and now residing in _____

in marriage before me, and in my presence, by _____

authorized by the laws of _____ to perform such

In witness whereof I have hereunto subscribed my name and affixed the

GENERAL AT SHANGHAI this _____ day of

and of the INDEPENDENCE OF THE UNITED STATES the _____

Acknd May 20/97. (Pr.)

REPORT FILED IN
Bureau of Statistics
& PUBLICATION

No. 224

Consulate-General of the United States,

INDEX BUREAU
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MAY 17 1897
DEPT. OF STATE

Shanghai, China April 16th, 1897.

Mr. J. N. Jernigan

To the Department of State.

Subject:

Increase of Trade between the United States and China.

Abstract of Contents.

File.

No. 225

Consulate-General of the United States,

Shanghai, China, April 16th, 1897.

RECD. APR 17 1897

Mr. Jernigan

To the Department of State.

Subject:

With reference to John Payne, sent to U.S. Hospital at San Francisco.

Abstract of Contents.

Clothing for John Payne $ 16.00
Passage " " to Francisco 74.82
$ 90.82

Payne is an insane seaman
of Whale Ship Rienzi, and a
citizen of U. S.

No. 225

Consulate-General of the United States,

Shanghai, China April 16th, 1897.

Honorable W.W. Rockhill

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to inform you that the American citizen, John Payne, who has been confined in the jail of this Consulate-General for some time on account of mental derangement, has been sent to the United State Hospital at San Francisco. While Mr. Clilton was here the condition of Payne had so improved that Mr. Clilton advised that I send him as indicated and that the expenses incurred would be allowed by the Department.

Mr. Payne took passage on the S.S. "China", the ship on which Mr. Clilton sails, and I have written to the Collector of Cus-

tons at San Francisco to consult with Mr. Clinton on the arrival of the steamer.

Mr. Pargue has been quite violent at times, but within the last month or two his condition has improved and a few days before leaving he was examined by a competent physician here who expressed the opinion that it would not be unsafe to send him on the "China".

Every attention has been given to Mr. Pargue since he has been in the jail of this Consulate General.

I have the honor to be, Sir,
your obedient servant,
W. Fergusson
Consul General.

File

996.

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 24th April, 1897.

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D. C.

S I R:

I have had the honor to receive volume No. 164 of the United States Reports for the use of this Consulate General.

I am, Sir,

Your obedient servant,

W. James Calhoun

Consul General.

No. 276.

CONSULATE GENERAL U. S. A.,

Shanghai, China April 7th 1897

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

Acknowledges Volume
164 of U.S. Reports

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ack & copy to Auditor 6/9.

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 6 May, 1897.

Honorable W W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

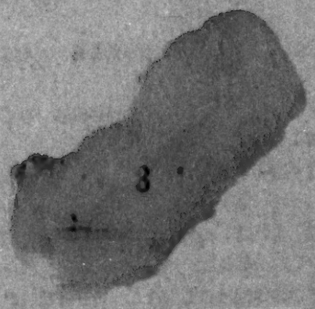
S I R:

With reference to your number 110,of January the 28th,informing me that in the future the fee for invoices covering transit shipments will be official,I have the honor to submit that the returns of this Consulate General will conform to your instructions,and that, as the Department has definitely settled the question,consular officers will be relieved of the embarrassment of procuring the evidence required by the Auditor to establish the transit character of the shipment.

The shipper of transit shipments applies to the Consul for an invoice covering his shipment,and signs a certificate that the shipment,after entering a United States port,is to re-shipped to a foreign country. Upon such certificate the invoice is granted,but,according to the ruling of the Department,the Consul must require of such shipper another certificate of the transit character of the shipments and also a similar certificate from the consignee at the port of entry for re-shipment;the Consul must follow the shipment and prove that it leaves the United States.

The Department will appreciate the embarrassment I feel when a gentleman applies at this Consulate General for an invoice for a transit shipment,signs the certificate for the same,receives the invoice,and next day I go to his office and request of him another certificate that he signed the first in good faith,and also inform him that he must have his consignee at the port of entry for re-shipment send me a certificate that the shipment had been received and had been re-

shipped



shipped in good faith. I am obeying the instructions of the Department, and before a great while hope to furnish the Auditor with the certificates required to establish that transit invoices, the fees for which I have classed as unofficial, covered shipments that passed through the United States, and, according to the decision of the Supreme Court were unofficial. So far as my experience aids me, I am of the opinion that the distinction between official and unofficial fees should be abolished, and that all fees should belong to the Government. I dislike to have any controversy with my Government on any subject, and shall promptly obey all instructions, but I regret that I must act an embarrassing part to protect a right decided to be mine by the Supreme Court.

I am, Sir,

Your obedient servant,

W. Bereniçan

Consul General.

CONSULATE GENERAL U. S. A.,

Shanghai, China May 6th 1897.

Mr. JERNIGAN,

To the Department of State,

SUBJECT:

In reference to transit passes fee.

File.

229

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 6 May, 1897.

Hon.W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

INDEX BUREAU REC'D JUN 7 1897 DEPT. OF STATE

S I R:

I have the honor to enclose a communication for the Auditor for the State and Other Departments with reference to exchange,and respectfully request that it be delivered to him,

I am,Sir,

Your obedient servant,

M. Dermisean

Consul General.

One enclosure,as above mentioned.

Sent to Auditor

R

CONSULATE GENERAL U. S. A.,

CONSULATE GENERAL U. S. A.,

Shanghai, China May 6th 1897.

Mr. J. [illegible] IGAN,

To the Department of State.

SUBJECT:

With reference to Exclusion

229

File

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 7th May, 1897.

Honorable W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R;

I beg the Department to accept my apology for delaying to forward sooner the enclosed sketch of the port of Shanghai,our Consulate General,and biographies of the present members of the Consulate General. All was prepared by Mr.E.T.Williams,our Interpreter,and whatever the merit,it should be credited to him.

I am,Sir,

Your obedient servant,

W. Jennings

Consul General.

One enclosure.

CONSULATE GENERAL U. S. A.

No. 229

CONSULATE GENERAL U. S. A.,

Shanghai, China, May 7th 1897

Mr. JENNIGAN,

To the State Department.

SUBJECT:

Inclosing Historical Sketch of Shanghai and the U.S. Consulate-General.

230

File

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 7th May, 1897.

Honorable W.W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

S I R:

I have the honor to enclose the more important decisions by the Court of this Consulate General during my incumbency.

I am,Sir,

Your obedient servant,

Consul General.

Enclosures above mentioned.

No. 230

CONSULATE GENERAL U. S. A.

Shanghai, China May 7th 1897

Mr. JEFFIGAN,

To The State Department

SUBJECT:

Inclosing Decisions
of Consular Court

U.S. COURT FOR THE CONSULAR DISTRICT OF CHINA AND JAPAN.

Shanghai, 19th June. 94

Before T. R. JERNIGAN, Esq., *Consul-General*, and Messrs. D C. JANSEN and A. S. FORBES, *Associates*.

BANK OF CHINA, JAPAN AND THE STRAITS, LIMITED, v. HJOUSBERY.

JUDGMENT

was filed to-day in this suit, in which Mr. C. Dowdall (Messrs. Dowdall and Hanson) appeared for the plaintiff bank and Mr. Emens for the defendant. The judgment was in the following terms:—

The plaintiffs, in their petition in this action against the defendant, allege:—

The defendant is a member of plaintiff company and is the registered holder of seven hundred shares therein; that these shares are of the amount of ten pounds sterling each, of which one pound five shillings have been paid in respect of each share, and these shares are held by the members of the plaintiff company upon the terms prescribed by the registered articles of association of the company and when the defendant acquired the shares registertered in his name he accepted them on those terms; that the registered articles of association of the plaintiff company among other things prescribe as follows:—

"Sec. 18.—The Directors may from time to time make such calls as they think fit upon the members in respect of all moneys unpaid on the shares held by them respectively and not by the conditions of allotment thereof made payable at fixed times and each member shall pay the amount of every call so made on him to the persons and at the times and places appointed by the Directors. A call may by made payable by instalments.

"Sec. 19.—A call shall be deemed to have been made at the time when the resolution of the Directors authorising such call was passed. No call in respect of any shares in the original capital shall exceed two pounds per share, or be made payable within three months after the last preceding call was made payable.

"Sec. 20.—Fourteen days' notice of any call shall be given specifying the time and place of payment and to whom such call shall be paid.

"Sec. 21.—If the sum payable in respect of any call or instalment be not paid on or before the day appointed for payment thereof the holder for the time being of the share in respect of which the call shall have been made or the instalment shall be due shall pay interest for the same at the rate of ten pounds per cent. per annum from the day appointed for the payment thereof to the time of the actual payment.

"Sec. 34.—The instrument of transfer of any share shall be signed by both the transferor and the transferee and the transferor shall be deemed to remain the holder of such share until the name of the transferee is entered in the Register in respect thereof.

"Sec. 36.—The Directors may decline to register any transfer of shares upon which the company has a lien and in the case of shares not fully paid-up may refuse to register a transfer to a transferee of whom they do not approve.

That before the commencement of the suit and while the defendant was a member of the company as aforesaid, a call of one pound sterling per share was duly made by the said plaintiffs upon the said shares in pursuance of the said articles of association under the provisions of the said act; that the said call is made payable by instalments, whereof the first instalment of five shillings per share became payable the first day of November, 1893, and the second instalment of five shillings per share became payable on the first day of Feb—

"Trust and Loan Company of China, Japan and The Straits, Limited, is this day incorporated under the Companies Acts, 1862 to 1883, and that this company is limited."

Deriving its legal existence and powers from said Acts, the "Trust and Loan Company of China, Japan and the Straits, Limited" issued a prospectus, setting forth therein the nature and objects for which the company meant to be incorporated, and publishing, in connection therewith, the "Memorandum of Association."

In *Lindley on Companies* the principle in regard to a prospectus is thus stated (page 19): "One of the first steps in the formation of a company is the publication of a prospectus, setting forth the nature and objects of the proposed company, the number and value of the shares intended to be created, and the amount of capital supposed to be required. The public is then invited to subscribe to the company then proposed to be formed—in other words, persons are invited by advertisements, circulars, etc., to enter into an agreement to take shares in a company, such as that described." And again: "The prospectus issued to the public must, in the absence of evidence to the contrary, be regarded as the basis of the agreement which results from an application for shares by a person who has seen the prospectus, and an allotment to him." Discussing the effect of a company not adhering to its prospectus the same authority, on the same page, says: "If a person applies for shares in a company upon the faith of a prospectus issued by its formators or directors, and he receives in answer to his application an allotment of shares in a company to which the prospectus does not apply, he is at liberty to decline to accept such shares; for they are not in truth what he asked for." In support of this doctrine, page 20, several decisions of the British Court are cited. One will be quoted: "The prospectus of the Scottish and Universal Finance Bank described the objects of the company to be general banking purposes or specie. The objects of the company as formed went far beyond this, and included, amongst other things, obtaining concessions for the construction of railways and other works and the leasing or working of such undertakings and the transaction of the business of a merchant, contractor and capitalist, as principal or agents, in any part of the world. It was held that a person who applied for shares on the faith of the prospectus, and to whom shares were allotted, had not agreed to become a member of the company; he never having been aware that the company was formed for purposes so materially different from those stated in the prospectus."

The authorities on these points are thus quoted somewhat at length at this stage of the case to aid in a better understanding of it, and in elucidating principles which enter as governing elements in its decision.

Viewed in the light of the sound principles announced, the prospectus of the plaintiff company throws no shade across them. If these principles have been violated, further examination will disclose some subsequent act to render the company amenable to their condemnation.

The prospectus explicitly and clearly sets forth the nature and objects of the company. It gives the amount of capital supposed to be required and the value of the shares intended to be created, and invites the public to subscribe. As an inducement for subscribers the prospectus reminds the public that "recent events in China are expected to lead to important changes in that country and to a new era of commercial prosperity. Not only should a fresh impetus be given to trade generally, but the introduction of capital into China, which must necessarily follow, will cause

such a development of the vast natural resources as can scarcely be over-estimated." As an additional inducement the prospectus adds: "This company will enter upon a new and extensive field for the investment of capital, and its resources should find employment outside of the operations which have hitherto been undertaken by the existing banks and local insurance offices in China, Japan and The Straits. These, from the nature of their constitutions, have been unable to avail themselves of many profitable and sound investments that are offered in those countries. This company will be able to take up branches of business hitherto neglected, and thus supply a demand for new capital, which has long been felt and is daily increasing." And as if to leave no doubt of the scope of the powers of the company—the business lines upon which it would move,—the memorandum of association of the company is printed on the same sheet as the prospectus, and both are submitted to the public at the same time.

It will be seen from these public declarations that the company did not propose to do a banking business; it did not intend to impress the public that it would enter such a field for the investment of its capital—but it negatived by an express declaration any such inference when it declared that its capital and its resources should find employment outside of the operations of existing banks and local insurance offices in China, Japan and the Straits, but that the company solicited subscription to it because of its intention to operate outside of the lines of those banking institutions, disclaiming the right to exercise the prerogative of any of their functions. And when the memorandum of association was also placed by the company before the public, in proof of the good faith of the declarations, a memorandum in which, in such a connection, no authority to do a banking business, by any rule of construction, can be found, the defendant, among others, became a purchaser of shares.

These comments would seem an implied impeachment of the good faith of the company, if attention during the trial had not been directed by the plaintiff to sub-division sections (G), (H), and (J), defining the objects for which the company was established, and construed by the plaintiffs, as empowering it to do a banking business. These sections are:

"G.—To invest in or to advance and lend money on real, personal and mixed securities, on cash, credit or other accounts, on policies, bonds, debentures, bills of exchange, promissory notes, letters of credit or other obligations, or on rates or tolls duly authorised to be made or levied by any Government or local, municipal, or other authority, on the deposit of title deeds, goods, wares, merchandise, and other personal property, bills of sale and loading, delivery orders, warehousemen and wharfingers' certificates, notes, dock warrants or other mercantile indicia, or tokens, stocks or shares.

"H.—To make, accept, and indorse and execute promissory notes, bills of exchange, bonds, debentures, and other negotiable instruments.

"J.—To contract for public and private loans and to negotiate and issue the same and to manage financial transactions on commission or otherwise, and generally to transact the business of financiers, contractors, concessionaires, and capitalists."

These sections should not be construed alone. The ambiguity that may lurk in their phraseology will not be allowed to confer a power upon the company with which the company itself, when seeking the sale of its shares, declared it was not invested. When there is ambiguity every principle of law interprets it against the agency responsible for it, and the principle of law is no less universal in that no person, no corporation, shall take advantage of its own wrong acts.

It appears, from the evidence that two of the Directors of the Hongkong and Shanghai Banking Corporation were in this company and the Hongkong and Shanghai Banking Corporation were the bankers of the company. Is it for a moment to be supposed that gentlemen, whose names are the synonyms for upright dealing, would have accepted the inconsistent position of being Directors in two rival banking institutions operating in the same city or anywhere? Is it to be supposed that a bank, which has the confidence of every financial circle, would foster into existence a rival institution? If proof were wanting of the construction given by the public to the nature and objects of the business of the company, and accepted by the company, when seeking markets for the sale of its shares, the fact that two Directors of the Hongkong and Shanghai Banking Corporation became Directors of the company, and that this Corporation became its bankers, would be of such potency as could not be overlooked; and certainly, when cited on the trial and admitted as evidence, is entitled to weighty consideration in aid of a proper construction.

The authorities are substantially a unit in support of the rule of construction here adhered to. Some leading rules on the subject are stated in *Bishop on Contracts.* (Sec. 379.) "The rule, most conspicuous and wide reaching, is that a written contract shall be interpreted as, if possible, to carry out what the parties meant. . . . The parties are bound by the language voluntarily employed. And since they cannot plead ignorance of the law, neither likewise can they, of the effect of their language. Within this rule, a stipulation for a thing will not be satisfied by something else presumably as good. . . The whole of the written instrument, whether on one piece of paper or on detached pieces, constituting one contract, and all writings on the same subject, whether together forming one agreement, or more than one, if made simultaneously, or sometimes when even executed on different days, should be looked at in interpreting each particular part. . . . The language and terms of the contract will be understood in the ordinary popular sense." Writing of the general duties of all bodies politic, considered in their corporate capacity, Blackstone says that they may, like those of natural persons, be reduced to this single one, "that of acting up to the end or design, whatever it be, for which they were created by their founder." (Book 1, Sec. 480.) And on the *Powers of Corporations* Chancellor Kent held this language, "As to whether a charter is to be strictly or liberally construed, the true rule would seem to be, that it is to be strictly construed when the object is to determine the extent of the franchise granted; that is, the scope or the objects of the corporation." (*Kent's Com.*, vol. 2, p. 277). Chitty, in his work on Contracts (p. 287), lays down the rule in these words: "So the contracts of joint stock banking corporations must in order to bind the shareholders, be made in pursuance of the authority, in that behalf, contained in the deed of settlement; for the parties who became shareholders, do so under the agreement contained in that deed....The contracts of joint stock companies, incorporated by the Act of Parliament for the purpose of carrying on undertakings of a public nature, are now regulated by the provisions of 8 and 9 Vict. c. 16, s. 97; and as to these the rule is, that they can only contract according to the terms in which the contract is authorised to be entered into by that Act or the special Act by which they are controlled." The rule is stated in *Parson on Contracts* with characteristic clearness: "A corporation is the creature of the law, and is only what the

act of incorporation has made it, and derives all its powers from the Act." (Vol. 1, sec. 141.)

The rule for the proper interpretation of a charter of a corporation or a memorandum of association has been adjudicated by the Supreme Court of the United States, and the decisions in the following cases settle the doctrine: "Charters of corporations must be construed favourably to the public, and against the grantee." (Commonwealth *v.* Erie R. R. Co.) "The enumeration of powers conferred implies the exclusion of others." (Thomas *v.* West Jersey R. R. Co.) "A corporation, being the creature of law, possesses only those properties which the charter of the creation confers upon it." (Dartmouth College *v.* Woodard.) "A corporation has no power except what is given by the incorporating act." (Council of Montgomery *v.* Plank Road Co.) "It is a sound principle that the specific grant of certain powers in a charter is an implied prohibition of other and distinct powers." (New York Fire Insurance Co. *v.* Elly.) "If, on a reasonable interpretation of a charter, it be fairly doubtful whether a power burdensome to the public has been granted, that power cannot be exercised." (Perrine *v.* Chesapeake and Delaware Canal Co.)

From the above decisions of the highest Court of the United States and the opinion of the ablest British and American writers, the conclusion appears irresistible that a corporation cannot construe in its favour a doubtful provision in the articles of association, especially when the provision so construed would confer a power contrary to any claimed at its organisation and injurious to shareholders.

But the company has not left its meaning in doubt. If the prospectus, in view of all the authorities, did not remove all question as to the purpose of organisation, the official act of the company, as organised under the memorandum of association, has.

The record shows that the first annual general meeting was held at the Cannon Street Hotel, London, on the 12th of February, 1891. At the first annual general meeting the Chairman gave notice of an extraordinary general meeting to be held at the conclusion of the general ordinary meeting, and that then a resolution would be proposed to change the name of the company into that of the Bank of China, Japan and the Straits, Limited. The resolution was: "That the name of the company be changed to the Bank of China, Japan and the Straits, Limited." The name was to be changed, and instead of the Trust and Loan Company of China, Japan and the Straits, Limited, it was thereafter to be known as the Bank of China, Japan and the Straits, Limited. The substitution of the name "Bank" for "Trust and Loan" must naturally have given rise to the query if by the change of name a departure from the original scope of the association was not contemplated? This was anticipated by notice "that the business of the company would continue on the lines which have hitherto been followed," and by the explanation of the Chairman: "*As mentioned in our report, the change of name does not imply a change in the intended business of the company, and no alterations in the articles is necessary on that account. It is not the object and it is not the intention of the company to interfere with the business of banking establishments in the East, with which the Board have worked in the most friendly accord, and your Directors will continue to aim at working in perfect harmony with existing institutions.*" At their annual meeting a resolution of thanks to the Chairman and Directors was unanimously passed for the favourable report at the end of the first year's operations, "the accounts disclosing the splendid results of about seventy-five per cent. profit on the year's operations."

In the complaint it is alleged that the shares held by the defendant, "are held upon the terms prescribed by the registered articles of association of the company, and when the defendant acquired the shares registered in his name he accepted them upon these terms."

To this allegation the defendant answers that he does hold his shares by the registered articles of association of the company, and that he acquired and accepted them upon the terms of the "articles of association," and avers that the plaintiffs are now a banking company, doing the business of a bank having no existence and no right under said articles of association, and that by reason of engaging in a business *ultra vires* the same, the ends of the articles of association have been defeated with ruinous losses to the shareholders.

It is admitted that the plaintiffs are a bank doing banking business in this city, and with its head office at London. And it is contended that the plaintiffs have the right, under the articles of association, to engage in the banking business.

Upon the construction of these articles it is deemed that sufficient authority has been found to warrant the conclusion, guided by the general rules of construction and the act and declaration of the plaintiffs that they do not confer upon the plaintiffs the power to engage in banking.

What safety, what security would there be in any business if the Directors of a corporation could organise it within clearly defined orbits, and then go outside of them without observance of the terms of organisation? "With respect to those acts," says *Lindley on Companies*, "which Directors have no power to do at all, it must be borne in mind that trading and similar corporations which are created for certain definite purposes have no greater capacity than is conferred upon them by their constitutions. They exist for certain purposes more or less defined in the instrument incorporating them, but they exist for no other purposes; and a corporation created for one purpose cannot lawfully do anything which is foreign to the purpose for which alone it was created." (p. 162.) Adds the same author: "The constitution of a company as settled by its charter, Act of Parliament, memorandum of association, or deed of settlement, limits, to a certain extent, the purpose of its Directors; for whatever it may or may not be competent for all the shareholders to do, it certainly is not competent for the Directors of the company to bind it by entering on its behalf into transactions not warranted by its constitution as settled for the time being." (P. 163.)

There is no evidence, in this case, that the memorandum of association, by virtue of which shares were sold and a dividend declared, were ever amended to relieve the company of the moral and legal obligation not to do a banking business. There is no evidence that such a material change was ever made in the articles of association, and they could not be legally changed in such a material aspect in utter disregard of the law of registration applicable to incorporated companies. The record shows no new registration; and examining the articles of association for information, no amendatory provision appears, no new act of incorporation was offered to legalise the radical evolution from a Trust and Loan company to a full-fledged banking institution—an evolution essentially Darwinian in its character.

On the trial the defendant was asked, in view of the allegations in his answer, why he did not protect his rights. The answer is, the defendant had before him the prospectus of the company, leaving no doubt as to the nature of the proposed business; he had before him the articles of association, in which the power and limitations of the company were defined, he had before him the record of an extraordinary general meeting at which the Chairman, in the presence of the Directors, with their approval, re-affirmed the resolution cited that

there would be no departure from the business demarcation prescribed by the articles. Were not these sufficient to put to rest any disquietude? If re-assurance were needed, what greater could be required; and can such an interrogatory successfully be put in behalf of those who would have the defendants to answer a call on shares owned in a Trust and Loan company to be utilised in sustaining an institution foreign to it?

It is true that the plaintiff argued that the said shares were bought when the title of the company had been altered from the Trust and Loan Company of China, Japan and the Straits to the Bank of China, Japan and the Straits, but the force of the reasoning is not clear when the fact is recorded that the change of title in no sense changed the business of the company, nor impaired any of the rights of the shareholders. This fact was recorded at the meeting of the Directors at the time the title was altered, and published in their reports of such meeting. Another argument of the plaintiffs, is that the right of the Bank of China, etc., to do an exchange business had been sanctioned by the shareholders at their meeting, and their report of February 9th, 1893, is referred to and marked exhibit B. This is the first report, the late date of which is noted and when the shares had been sold, that apprised the public, after the event, of the purpose of the company to engage in a general banking business. On the first page of said report the apprisement is made as follows: "Investments made in London, £38,718 present various things in which, as a Trust and Loan Company, we became interested before the institution became a bank." Even at this meeting of pardoners after execution, a shareholder reminded his colleagues that there might be "impediments" to "carrying on legitimate banking business," and the reminder caused the Chairman of the meeting to admit the existence of the impediments. The passing of the accounts of the Bank at their meeting was also urged in support of the authority now claimed by the company to exercise banking privileges; but is it good law that the mere passing of an account changes the character of a corporation, materially alters the articles of association, and supplies the place of registration? Such a reconstruction of charters and the law of registration is proposed at a time when opposing legal precedents have been too firmly established by British and American authorities.

The judgment of the Court is that the suit be dismissed and that the plaintiffs pay costs.

T. R. JERNIGAN.
U. S. Consul-General, Acting Judicially.

Assented to

D. C. JANSEN,
A. S. FORBES, } *Associates.*

Shanghai, 19th June, 1894.

U. S. CONSULAR COURT.

Shanghai, 1st October, 1894.

BANK OF CHINA, JAPAN AND THE STRAITS, LIMITED, *v.* E. HJOUSBERY.

Before T. R. JERNIGAN, Esq., *U.S. Consul-General, acting judicially*, and Messrs. D. C. JANSEN and A. S. FOBES, *Associates*.

The following is the

Judgment:—

The plaintiffs apply for appeal from the judgment against them in this case.

They ask that the appeal be granted to the Circuit Court of the United States in and for the District of California; but should it be held that the appeal will not lie to that Court, then they ask that it be granted to the Ministerial Court of the United States at Peking.

If it were in the discretion of this Court to grant an appeal, no application therefor would be refused, for the Court would feel less embarrassed in rendering a judgment with the knowledge that no legal principles intervened to prevent such judgment from passing under review by a higher tribunal.

The important principles involved in this case, and which have been decided against the plaintiffs, only add to the embarrassment of the Court when, after mature consideration, it finds that the application for appeal should not be allowed. Section 4,093 of the Revised Statutes of the United States provides: "On any final judgment in any Consular Court of China or Japan, where the matter in dispute, exclusive of costs, exceeds the sum of two thousand five hundred dollars, an appeal shall be allowed to the Circuit Court for the District of California."

The language of this section is no less plain than mandatory, and if there could have been any doubt as to its meaning such doubt has been removed by the judgment of the Circuit Court of California in the case of The *Ping-on* against Clement Phinney Blethen and others.

In this case the whole doctrine of appeals from the Consular Courts of China and Japan is exhaustively reviewed by Judge Hoffman, with the conclusion that "in suits for more than twenty-five hundred dollars the appeal lies to the Circuit Court of California."

With the unambiguous language of the statutory provision quoted, accented by the equally plain interpretation of the Court, to which this Court must look for instruction and guidance, it follows that the only question presented, in this connection, is the amount of the matter in dispute.

The plaintiffs, in their petition in the case, leave no doubt as to the amount of the matter in dispute. They name it in the last section of the petition in these words:

"That the defendant pay to the plaintiffs' company the sum of 350 pounds Sterling, together with interest at the rate of ten per cent per cent per annum, on one half of that sum from the first of November, 1893, and on the other half from the first of February, 1894."

The aid of a simple rule of arithmetic need only be invoked to show that the plaintiffs themselves, having named the amount of the matter in dispute, and taking the amount to be all that was due them, a greater could not have been named, and that it does not exceed two thousand five hundred dollars.

The application for appeal to the Circuit Court of California is not allowed.

fact that section 4107, in one respect, materially differs from section 4092, in that section 4107 prescribes the conditions and limitations under which the jurisdiction provided for by section 4092 is to be exercised. Reading the two sections together it is clear that the conditions and limitations so provided mean, what the language of the statute says. Substantially, the two sections would read thus: When the matter in dispute is more than five hundred dollars, assessors should sit with the Consul at the trial, and if the matter in dispute should not exceed twenty-five hundred dollars, and the Consul and his associates concur in opinion, the judgment shall be final.

On the line which the authorities make clear to this Court, the two sections do not appear in conflict.

The conclusion thus reached is warranted by the analogy of the jurisdiction of Consuls and the system of appeals, provided for, in criminal cases, by statute.

Section 4105 of the Revised Statutes of the United States, provides, "that any Consul, when sitting alone for the trial of offences or misdemeanours, shall decide finally all cases where the fine imposed does not exceed one hundred dollars, or the term of imprisonment does not exceed sixty days."

Section 4106 provides, "that when the Consul is of the opinion that severer punishments than those specified in section 4105 will be required, he shall summon to sit with him on the trial one or more citizens of the United States, not exceeding four, and in capital cases not less than four," (as provided by statute). "If the Consul and his associates concur in opinion, the decision shall, in all cases, except in capital offences, and except as provided in section 4105, be final."

It is evident that the purpose of the statute is to provide a system of jurisdiction and appeals investing Consuls with the power to finally determine a class of civil and criminal cases according to the amount of the matter in dispute, the fine and imprisonment imposed, and, in cases where assessors are required to sit with the Consul, to give to the Consular Court, so constituted, a finality of judgment also.

Fortunately the whole statute upon the subject of the Consular and Ministerial Courts of China and Japan was reviewed and construed by the Circuit Court of California in the case referred to. True, the question before this Court was not directly before that Court, but, if the opinion can be modestly advanced, the conclusion of the Circuit Court of California is an addition only to the long line of authorities in its favour.

After an exhaustive review, Judge Hoffman, in The *Ping-on* vs. Clement Phinney Blethen, *et al.*, concludes as follows:—

"The only plausible way of reconciling these seemingly contradictory provisions, which occurs to us, is to construe the provisions of section 4107, which makes the judgment of the Consul final when concurred in by his associates, and allowing an appeal to the Minister when there is a difference of opinion, as referring only to cases in which the matter in dispute does not exceed twenty-five hundred dollars, the provision of the Act would thus be made harmonious and consistent and its principal feature preserved, viz.: to make the judgment of the Consul or Minister final in all cases where the matter in dispute does not exceed twenty-five hundred dollars, and to allow appeals to the Circuit in all cases where it is in excess of that amount."

"The whole statute upon the subject of the Consular and Ministerial Courts of China and Japan must be construed together, and, if possible, so that there shall be no conflict between its various provisions. A complete and harmonious system for the exercise of appellate jurisdiction from those Courts has been provided, and sections 4092 and 4093 prescribe the jurisdiction. By the former, appeals to the Minister are limited to cases involving amounts not less than five hundred dollars and not exceeding twenty-five hundred dollars. By the latter appellate jurisdiction is given to the United States Circuit for the District of California in "any final judgment in the Consular Court wherein the amount of the judgment, exclusive of costs, exceeds twenty-five hundred dollars, etc." The special office and purpose of those two sections is to prescribe the jurisdiction. Section 4107 only prescribes to a certain extent, the condition and limitation under which the jurisdiction provided for by the previous section shall be exercised.

"Its provisions must be construed in subordination to the system and provisions of the section specially defining the jurisdiction. So construing section 4107, we have no doubt that appeals to the Minister are allowed by its provisions under the circumstances therein indicated, only in the class of cases over which appellate jurisdiction is given to that officer by section 4092, and that in any case wherein the judgment exceeds twenty-five hundred dollars, etc., an appeal lies to the Circuit Court for the District of California."

Is this conclusion the Circuit Court of California has closely adhered to the doctrines laid down by British law writers and subsequently maintained by the decisions of the Supreme Court of the United States.

One part of a statute must be construed by another. (1 Blackstone Com., 89. Bac. Abr. Stat., (1.) 2.3)

A statute will be construed in the light of every word used in it, it being presumed, where such a presumption is possible, that the legislature meant what it said. (Montclair vs. Ramsdale, 107 U.S. 147.)

If the language of a statute is plainly susceptible of two constructions, both equally obvious and reasonable, one of which will bring it into harmony with the constitution, while under the other it is invalid, the former construction is to be adopted. (Gremada County Supervisor vs. Brogdon, 112 U.S. 261.)

The judgment of the Court is that the appeal cannot be allowed.

T. R. JERNIGAN,
Acting Judicially.

Assented to,
D. C. JANSEN, } *Associates.*
A. S. FORBES, }

U.S. CONSULAR COURT.

Shanghai 19th June, 95

Before T. R. JERNIGAN, Esq., *Consul-General, Acting Judically.*

COUNCIL FOR THE FOREIGN COMMUNITY OF SHANGHAI v. THE GOLD BOND INVESTMENT COMPANY.

The following judgment in this case was delivered to-day. Messrs. Dowdall and Hanson appeared for the plaintiffs. Defendants were unrepresented by Counsel.

His Honour said—The allegations necessary to bring this action against the defendants within the jurisdiction of the Court are set forth in the petition of the plaintiffs, and are admitted by the defendants.

The plaintiffs allege that the defendants are conducting a lottery within the Foreign Settlement of Shanghai to the detriment of good morals and to the damage and common nuisance of the public, and ask that the defendants be restrained.

The defendants answer that they do not wish, nor has it ever been their intention, to engage in or conduct any business contrary to the moral sentiment of the foreign population of Shanghai, but as lottery tickets were being sold publicly on the foreign settlement they were not aware that they were violating the Regulations of the settlement when they offered the tickets of the Gold Bond Investment Company for sale.

The plaintiffs and defendants agree that the case shall be submitted to the Court, upon the issue thus raised, for a decision, the facts leaving no doubt that the defendants are conducting a lottery on the foreign settlement.

Some time ago attention was directed to the existence of the Gold Bond Investment Company, and that it was under the management of a citizen of the United States, and that it was conducting a lottery business. There was no hesitation on the part of the Court in concluding not to issue a warrant or summons against a citizen of United States except upon an affidavit or petition duly authenticated. Citizens of the United States are not to be arraigned before this Court except upon complaint in writing, sworn to, and setting forth the cause. In all actions against a citizen of the United States the defendant has the right to know the name of his accuser or complainant, with the accusation or complaint reduced to writing, under oath, and to face him in open Court.

The jurisdiction of Consular Courts is to be exercised in conformity—

1st.—With the laws of the United States;

2nd.—With the common law, including equity and admiralty;

3rd.—With decrees and regulations, having the force of laws, made by the Ministers of the United States in each country respectively, to supply defects and deficiencies in the laws of the United States, or the common law, as above defined. (U.S. Rev. Stat, Sec. 4,086.)

Reversing the order of the division of the laws by which the jurisdiction of a Consular Court is to be exercised, the third division, unexplained, would seem to confer upon Ministers of the United States, residing in countries where Consular Courts are established, a power co-ordinate with the power of the Congress of the United States.

According to the Constitution of the United States, all legislative powers are vested in Congress, and such powers cannot be divested unless the people of the United States should so decide by an amendment to the Constitution in the way therein provided for amendments. A Minister of the United States has no authority to supply defects and deficiencies in the laws, nor has Congress the constitutional power to confer any such authority. Deriving all its power from the Constitution, Congress cannot delegate a power the Constitution expressly provides shall be exclusively its own, and for Congress to enact that a Minister could, by decrees and regulations, supply defects and deficiencies in the laws of the United States would be unconstitutional and nugatory. A Minister has never had greater authority than simply to regulate the form and course of judicial procedure in Consular Courts, and in that way systematising the procedure with the view of expediting the business of the Court, a prerogative usually exercised by Courts and for the purpose indicated. (Bayard to Minister Denby; MSS. Inst. China.).

As this Court is constituted under the laws of the United States, the first enquiry, when its aid is invoked to determine a cause properly before it, is—Has a law of the United States been violated? Such an enquiry made in connection with the cause now before the Court may be answered thus: The Congress of the United States has not the power to pass a law against a lottery. The subject of lotteries is a subject for State legislation, and each State, composing the American Union, has the sole power to allow or prohibit lotteries within its boundaries, but Congress, so far as it has the power, has legislated against lotteries by prohibiting lottery companies from sending their tickets through the United States mails, which are solely under the regulation and control of Congress. (U.S. Rev. Stat., Sec. 3893.)

Therefore, finding no law in the Revised Statutes against lotteries, the Court must next look to the common law, which is the law of the United States in so far as it has not been changed by Statute.

The term lottery has a double meaning. It includes not only a scheme for the distribution of prizes by chance, but the distribution itself. At common law neither of these is indictable unless it is a nuisance. (Wharton's Criminal Law, ninth edition, Vol. 2, p. 326).

From the foregoing authority it appears there was no remedy at common law against lotteries, unless shown to be nuisances; and as to what constitutes a nuisance the Court must be instructed by the opinion of text writers and the adjudicated cases.

It is a general principle of law that whatever tends plainly and directly to the corruption of morals, honesty and the good habits of the people, is a nuisance. (Greenleaf on Evidence vol. 2, sec 184.) At common law whatever openly violates decency, or is injurious to public morals or public health and comfort is a nuisance; and it is not necessary that all members of the community should be affected by the nuisance, nor is it a defence that there were some persons by whom the nuisance was approved. (Wharton's Criminal Law, vol. 2, sec. 1410.)

In the application of these general principles statutory enactments and their interpretation by the Courts are the safe guide.

By the British Statute of 10 and 11, Wm. 3 c. 17, all lotteries are declared to be public nuisances. And the same Statute provides that no person shall publicly or privately conduct a lottery. Another British Statute, 9 Anne, c. 6, sec. 56, makes it a penal offence either by writing or printing to publish the setting-up of a lottery.

These Statutes have been interpreted by the British Courts to mean what their plain language indicates, and they have been enforced by the judicial power of Great Britain.

The Statute laws of many of the States of the American Union are no less explicit, and their interpretation and enforcement have been equally as plain and prompt.

By a Statute of the State of New York, not merely lottery schemes themselves, but the sale of lottery tickets is made illegal; and in the case of People vs. Noelke the New York Court held that such a Statute was constitutional when prohibiting the sale of the tickets of lotteries organised in other States. The same principle was upheld by the Supreme Court of Georgia in Loans vs. State, 68 Ga. 826. And in Blanchard, *ex parte*, 9 Nev. 101, the Supreme Court of the State of Nevada held that a public lottery was a common law nuisance.

The authorities cited are deemed sufficient to establish the contention of the plaintiffs that lotteries are detrimental to good morals and a common nuisance to the public.

The legislation of the British Parliament on the subject of lotteries has been clear and direct against their legality, and so far as Congress could legislate it has legislated on the same lines with equal distinctness; and the decisions of many of the State Courts, in connection with the statutory enactments, so clearly explain what is meant by a nuisance as to bring lotteries within the common law meaning of the term.

The above reasoning leads the Court to another consideration.

In countries where government is reduced to a legal system the powers of local police rest on charters granted by the supreme Legislative authority, but a community outside of any general system of laws may organise a government and adopt rules and regulations which would be valid on the ground of the right of self-preservation, an inherent right in people everywhere: and in this light the Municipal ordinances of Shanghai may be regarded.

The foreign settlement of Shanghai not being subject to the laws of China, and the legal systems of the respective foreign Powers represented at Shanghai, being not only dissimilar *inter se*, but often insufficient to meet local needs, it is necessary for the local foreign residents interested in the preservation of peace and order and good morals to supply the deficiency.

And enlarging upon the principle here announced, it would not seem logical for any foreign Power to assent to any business being conducted at Shanghai which, in the opinion of the foreign residents, was opposed to public morals and decency.

In a communication by Secretary of State Bayard (MSS, Inst. China) the foregoing powers of the Foreign Municipal authority of Shanghai were thus recognised, and the Secretary further maintained that American citizens residing in Shanghai enjoy, in common with other persons composing the foreign settlement, all the rights, privileges and protection which the Municipal Government affords; and as they go there voluntarily, and, presumptively, for the advancement of their personal interests, they may reasonably be held to observe such police regulations as are not inconsistent with their rights under the laws of the United States. And the enforcement of the Municipal regulations by the Consul-General of the United States may be justified.

It is understood that the plaintiffs do not claim the prerogative to pass a by-law or regulation defining rights and wrongs, and, consequently, disclaim the power to enforce the one and prevent the other; but, however this may be, it does seem that when the Municipal Council of Shanghai comes into Court, as a plaintiff, and asks for the suppression of a business which, in the petition, is alleged to be detrimental to good morals and a common nuisance to the public, it should be able to adduce some evidence, by-law or regulation, or even some resolution at least indicative of an opinion of its own.

The counsel representing the plaintiffs informs the Court that there is no evidence on the records of the Municipal Council of any regulations or resolutions against lotteries, and therefore if this Court was not, in certain emergencies, governed by the common law, the remedy asked for by the plaintiffs might fail them on account of their failure to adduce the proof of some evidence of its own acts which the Court could recognise, for its authority will not be withheld in the enforcement of whatever may be conducive to public morals and good order.

The defendants are open in their answer. They say that it was not their intention to conduct any business contrary to the moral sentiment of the foreign population of Shanghai, but as lottery tickets were being publicly sold on the foreign settlement, they were not aware that they were violating the regulations of the settlement when offering the tickets of the Gold Bond Investment Company for sale.

If it be wrong to conduct a lottery at Shanghai, it is no defence in this Court that others are engaged in the unlawful occupation, but the prohibition of the selling of lottery tickets about the streets of Shanghai and at other places on the settlement is a matter that commends itself to the careful consideration of the Municipal authorities, for visitors to Shanghai will not receive favourable impressions of the city when witnessing the open sale of lottery tickets on the streets, nor does such violation of good morals and decency accord with the judgment and taste of the foreign residents. If the Municipal authorities have not the power to preserve the settlement from the presence of the vendors of lottery tickets, then steps should be promptly taken to find the power that has, and to have it exercised in the name of morality, decency, and legitimate business.

Judgment in accordance with the prayer of the petition.

Sd. T. R. JERNIGAN,
Consul-General Acting Judicially.

U.S. CONSULAR COURT.

Shanghai, 26th July.

Before T. R. JERINGAN, Esq., *Consul-General*. Acting Judicially.

J. WARD HALL *v.* DENTON F. PETERSEN.

The following judgment in this suit was filed to-day :—

The pleadings in this case present the following facts :—

The plaintiff was, and is now, engaged in the practice of Dental Surgery at Shanghai, China, and on March the 15th, 1886, by agreement in writing, signed by the plaintiff and the defendant, the defendant entered the employment of the plaintiff for the term of five years, and received each year a stated sum as a salary. It was stipulated that after the defendant left the service of the plaintiff, or his legal representatives, the defendant should not carry on the business of Dental Surgery in China, Japan, or Hongkong, or in any city or town or elsewhere in which, when the engagement of the defendant should cease, the plaintiff, or any representative of the plaintiff, should be practising. The defendant remained in the employment of the plaintiff until the agreement expired by the limitations; and on the 18th of June another agreement was signed by them, whereby the defendant was given the right to practice dentistry in the ports of China north of, but not including, Shanghai for the period included between 17th December, 1891 and 1st April, 1892. By this last agreement the defendant agreed to pay the plaintiff one third of the gross earnings of his practice during the specified period, and was given the right to practise his profession in the British colony of Hongkong and the island of Formosa; but in all other respects the original agreement, upon the expiration of this last agreement, was revived, and every provision thereto to be in full force.

The plaintiff brings this actions to enforce the original agreement against the defendant, alleging that the defendant has been practising dentistry in China in violation of its terms, and praying for a judgment against the defendant for "twenty-five thousand Mexican dollars, as liquidated and ascertained damages, according to the said original agreement, and for an injunction to restrain the defendant in breach of same."

The defendant, in his answer, admits signing the agreement named, but alleges that prior to signing the original agreement he was residing in the United States, and as an inducement thereto the plaintiff gave him reason to expect and believe that after the expiration of the said five years mentioned in the said agreement he would be taken in co-partnership with the plaintiff, and that acting under such expectations he abandoned his profession in the United States and came to Shanghai; that he faithfully and competently did his work, but was dismissed by the plaintiff, and, in consequence, was placed in an embarrassing position, having lost the opportunity for success at home, which would require years to recover; equity gives him the right to practise in China, and asks that the case be dismissed with his proper costs.

The issue raised by the pleadings brings the case within the law governing contracts in restraint of trade, and by the mutual consent of the plaintiff and defendant the issue thus presented is submitted upon the pleadings for decision.

It is a general principle of law that a written contract may be explained but not added to by parol evidence; and, to secure certainty and reliability in the business affairs of life, another cardinal doctrine of enlightened jurisprudence enjoins upon courts the duty of enforcing contracts when the parties thereto have accentuated their entire agreement by reducing the terms to writing and signing the same.

But there is a certain class of contracts, although reduced to writing, on which the law does not enjoin enforcement, because it would be against public policy to enforce them. The prosperity alike of the community and of the individual is largely promoted by leaving every man free to occupy himself in such business, and at such place, as the demands of patronage and his own particular means and qualifications indicate. Chiefly upon this principle the law declines to enforce contracts in restraint of trade. (Bishop on Contracts, enlarged edition, marginal, page 513.)

The principle is stated thus. It is not only a defence to a contract that it requires of the defendant, or that by it the defendant promised to do an act, which the law forbade his doing, but it may also be a defence, that by the contract the defendant undertook to do what the plaintiff was forbidden by law to ask him. Generally these two cases should be the same; for it is not often it is unlawful to ask what it would be lawful to do. But the distinction exists, and may be well illustrated by certain contracts which are called "contracts in restraint of trade," and which the policy of the law is said to make illegal and void. (Parson on Contracts, seventh edition, vol. 2, marginal, page 748.)

Reviewing the history of the law on the subject, the authority last quoted, same page, states it in these words: "So long ago as in the times of the Year-Book the courts frowned with great severity upon contracts of this kind. But after awhile their excessive aversion became much mitigated. Many exceptions and qualifications were allowed. These were gradually enlarged, until it became a settled rule that while a contract not to carry on one's trade *anywhere* was null and void, a contract not to carry it on in a particular place, or within certain limits, was found good and enforceable at law."

The two principal grounds on which is founded the doctrine that a contract is void as against public policy are the injury to the public for being deprived of the restricted party's industry, and the injury to the party himself by being precluded from pursuing his occupations and thus being prevented from supporting himself and family. It is evident that both of these evils occur when the contract is general, not to pursue one's trade at all, or not to pursue it in the entire realm or country. (Supreme Court United States, Oregon Steam Navigation Company *vs.* Winsor, 20 Wallace.)

The case must be decided in accordance with the exposition of the law by the authorities above cited. It is therefore essential to the validity of a contract, like the one before the Court, that it should be reasonable in its restrictions as to time and space, and that it should be supported by a valuable consideration.

The first essential, the limitation as to time, does not appear in the contract. The contract ignores all time by marking no limit to the denial to the defendant of the right to practise his profession in the Empires of China or Japan. It virtually excludes the defendant from the most habitable part of the Asiatic world, and empowers the plaintiff, or his representatives, to make the exclusion perpetual. This Court is not given the discretion to decide whether the contract reasonably restricts the defendant as to time, for there is no restriction whatever, and the law will not enforce a contract of this character, even wherein a restriction is named, should it seem unreasonable. (Bishop on Contracts, mar. p. 514.) A contract in restraint of trade, in which restriction is limited neither to time nor to space, is unreasonable and void. (American Decisions, Digest vol. 3, p. 197.) The limitations of such a contract must be reasonable in regard both to time and place. (Story on Contracts, vol. 1,

mar. p. 552.) An agreement without limitation, not to carry on a particular trade, which is lawful and beneficial to the community and to the individual is against public policy. (Bishop on Contracts, mar. p. 515.)

What constitutes reasonable space is a question not to be answered by measurement in miles, but to depend on the nature and demands of the business, the situation of the country and the population. (Bishop on Contracts, mar. p. 517.) Regard must be had to the changed condition of commerce and of the means of communication which have been developed in recent years. To disregard these would be to miss the substance of the rule in a blind adherence to the letter. (Lord Herschell, L. C., in Nordenfeldt vs. Maxim, Nordenfeldt Gun and Ammunition Company.) The Supreme Court of the United States, in the case above cited, held this language: "In this country especially, where State lines interpose such a slight barrier to social and business intercourse, it is often difficult to decide whether a contract not to exercise a trade in a particular State is, or is not, within the rule. It has generally been held to be so, on the ground that it would compel a man thus bound to transfer his residence and allegiance to another State in order to pursue his avocation." Such is the general rule decided by the Supreme Court of the United States; the application of which is more difficult than a clear understanding of it.

The adjudicated cases will guide in the application of the rule.

In Massachusetts, a contract, upon good consideration, was entered into between two citizens by which one of them agreed not to set up, exercise, nor carry on, the trade or business of manufacturing shoe-cutters within the commonwealth of Massachusetts; that at the time they made the agreement plaintiff and defendant were about to enter into co-partnership for the manufacture of shoe-cutters; that the agreement was to take effect at the expiration of the partnership; that at the time the agreement was made the defendant knew nothing of the business, and only the plaintiff and three other persons in the State did.

It will be observed that the facts in the Massachusetts case are somewhat similar to the facts in the case under consideration, but, although the former case was supported by a good consideration, the Supreme Court of Massachusetts held the contract void because of its being in restraint of trade. (Taylor vs. Blanchard. American Decisions, vol. 3, p. 199.) An agreement not to run a stage coach between Providence and Boston in opposition to the plaintiff's stage coach, and an agreement not to be interested in any voyage to the north-west coast of America or in any traffic with the natives of that coast, for seven years, were both held to be valid. (Pierce vs. Fuller, 8 Mass. 223. Perkins vs. Lyman 9 Mass. 532.) But an agreement prohibiting to a person the pursuit of a certain trade throughout the State of New York has been held to be a contract in total restraint of trade. (Laurence vs. Kidder, 10 Barb. S.C.R. 653.) A general restriction as to place will vitiate a contract. (Story on Contracts, mar. p. 553.) The limitation to protect the contract must be *bonâ fide*, and not a slight and unreal exception, inserted as a mere evasion of the law. (Parson on Contracts, vol. 2, mar. 2, p. 753 and the cases cited in the note.)

The limitation to Hongkong and Formosa is not sufficient to take the agreement between the plaintiff and defendant out of the rule which requires the limitation to be reasonable as to space. The limitation to Hongkong would be greatly relieved by the cultured surroundings, but Formosa is not at this time an inviting field for the practice of dental surgery; and after considering the peculiar situation of the countries and the populations from which the plaintiff seeks to exclude defendant, the limitation as to space, excluding the defendant from the two great empires of the Asiatic world, is too unlimited to admit of validity. At the hearing of the case the defendant assented, as alleged in his answer, that he would not practise in Shanghai, and it being so agreed the fact is hereby noted; and there is a moral obligation resting on the defendant that he will not interfere with the practice of the plaintiff at such places in China which, from the knowledge acquired by association, he knows the plaintiff is accustomed to visit.

The third essential to the validity of the contract is the consideration, a prime element and one that threads the entire doctrine of contracts. As set forth in the agreement, the defendant was in the employ of the plaintiff for five years, receiving for his services a stated sum; the services of the defendant were valued at a certain sum, named in the agreement, for each month, and at the expiration of each month he received the stipulated salary. Was the consideration so paid discharged at the end of each month by the services of the defendant or fully discharged at the end of the five years, the maximum limitation of the agreement, or did the consideration continue of sufficient value to sustain the agreement? The essentials as to time and area are absent from the agreement and these fatal defects are not cured by the payment of a monthly salary in consideration of monthly services. An agreement in which there is no limitation as to time, and almost as unlimited as to area ought not to live in any part by such an imperfect consideration. A consideration is something esteemed in law as of value, in exchange for which the promise in a contract is made. (2 Kent Com. 465.) A mere moral consideration is nothing. (Freeman vs Rawlinson, 9 Vroom 283.) A promise for which there is no consideration cannot be enforced at law. (Parson on Contracts, vol. 1, p. 455.) That which supplies a motive for a promise is not necessarily the consideration. (United States Supreme Court in Philpot vs. Guminger, 14. mar. p. 570.)

Each party to pay his costs.

T. R. JERNIGAN.
Consul-General, Acting Judicially.

UNITED STATES CONSULAR COURT.

95

Shanghai, 7th November. 9

Before T. R. JERNIGAN, Esq., *Consul-General*, Acting Judicially, and Messrs. C. C. BENNETT and A. C. HUNTER, *Assessors*.

EVANS *v.* FOBES.

Judgment was delivered to-day in this suit, in which Mr. A. M. A. Evans, a British subject, trading in Shanghai as Evans & Co., sued Mr. A. S. Fobes, a citizen of the United States, also residing at Shanghai, for Tls. 23,019.88.

The Judgment was as follows—The judgment of the Court in this case is that the Plaintiff has not succeeded in proving the allegations in his petition. The obligation of proving a fact lies upon the party who substantially asserts the affirmative of an issue. This is a primary principle of law, governing civil actions, and adopted, not because it is impossible to prove a negative, but because the negative does not admit of the direct and simple proof of which the affirmative is capable. (Greenleaf on Evidence, vol. 1, sec. 74.) The principle has its pleasing feature, for although the party maintaining the affirmative, may give his evidence in the most becoming and positive manner, it does not follow, because the judgment is adverse to him, that his evidence is discredited. The burden of proof being on him, the Court must be satisfied that the affirmative of the issue has been clearly proved.

Judgment against the plaintiff for costs.

T. R. JERNIGAN,

U. S. Consul-General, Acting Judically.

Assented to

C. C. BENNETT, } *Assessors.*
A. C. HUNTER, }

Ack'd 6/22 to Treas.

CONSULATE-GENERAL OF THE UNITED STATES.

No 731. SHANGHAI, CHINA. May 31st 1897

INDEX BUREAU REC'D JUN 21 1897 DEPT OF STATE

Treasury

Hon. W. W. Rockhill
Assistant Secretary of State
State Department
Washington D.C.

Sir:

In pursuance of Consular instructions I transmit herewith copy of Bill of Sale of the British ship "Alice Mary" of Shanghai granted Edward Henderson of this Port.

In accordance with the Consular Regulations I have given the purchaser the required certificate Form No 33. Edward Henderson being an American citizen and registered as such in the United States Consulate Hankow.

I am Sir:
Your obedient servant
[signature illegible]
Consul General

One enclosure as stated.

No. 256

CONSULATE GENERAL U. S. A.,

Shanghai, May 21st 1897

Mr. JEFNIGAN.

To the Department of State.

SUBJECT:

Enclosed Bill of Sale Ahern

INDEX BUREAU
REC'D.
JUL 30 1897
DEPT. OF STATE

File

No. 232.

Consulate General of the United States,

Shanghai, 29th June, 1897.

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

S I R:

I have had the honor to receive your No. 113, of May the 12th, with reference to the circular addressed by the Consul at Tientsin to the heads of the various mission stations, and I have directed our other Consuls in China to prepare and address a similar circular to the heads of the various mission stations in their respective districts.

I am, Sir,

Your obedient servant,

W. Barnicoat

Consul General.

No. 232.

Consulate General of the United States,

Shanghai, 29th June, 1897.

Hon. W. W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

S I R:

I have had the honor to receive your No. 113, of May the 12th, with reference to the circular addressed by the Consul at Tientsin to the heads of the various mission stations, and I have directed our other Consuls in China to prepare and address a similar circular to the heads of the various mission stations in their respective districts.

I am, Sir,

Your obedient servant,

Consul General.

asks. by form & copy into desp.
Endorses to Treas. Aug. 12.

No. 233.

Consulate-General of the United States,

Shanghai, July 6th, 1897.

Mr. T. R. Jernigan

To the Department of State.

Treasury

Subject:

Drowning of Martin Lissar.

Abstract of Contents.

No. 233.

Consulate-General of the United States,

Shanghai, July 6th, 1897.

Honorable W. W. Rockhill,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to report with regret that while the American ship "John Baizley" was lying at this port one of her sailors, Martin Lissar, a Spanish subject was drowned in the early morning of June 11th 1897.

I made careful inquiries into the circumstances and learned that he jumped overboard from a sampan while intoxicated.

All the effects of the deceased were sent to the Consul-General for Spain at Shanghai and I also sent him copies of the affidavits made by M. Ramez and Awang, fellow seamen of the

drowned

drowned man as well as a copy of the affidavit made by Mr. Geo. A. Norberg, Jailor of this Consulate-General. The sailor was shipped at Manila for this port.

I inclose copies of the affidavits referred to above.

I have the honor to be, Sir,
your obedient servant,
W. H. Ferriccan
Consul-General

Enclosures as above stated.

234.

CONSULATE GENERAL OF THE UNITED STATES.

INDEX BUREAU RECD. AUG 27 1897 DEPT OF STATE

SHANGHAI, CHINA, 27 July, 1897.

ASST. SECRETARY. SEP 1 1897

Ack. by form. Sept. 3.

Hon. William R. Day,

Assistant Secretary of State,

Washington, D.C.

Sir:

I have the honor to enclose the last written decision given by me in my judicial capacity. The other written decisions given by me were enclosed in my No. 230, of May the 7th.

I send with the decision now enclosed the petition and answer. The parties ~~in~~ to this case have accepted the decision as just, and there was no intimation of appeal from the final decision.

I am, Sir,

Your obedient servant,

M. Jernigan

Consul General.

Enclosures above mentioned.

CONSULATE GENERAL U. S. A.,

Shanghai, China July 27th 1887

Mr. JEPNIGAN,

To the Department of State.

SUBJECT:

Enclosed decision in the Civil Case Mustard & Company R. H. Wright Duncan Cigarette Co. and American Trading Co.

No. 15

CONSULATE GENERAL U. S. A.,

UNITED STATES CONSULAR COURT.

Shanghai, 28th April.

(Before MR. T. R. JERNIGAN, *Consul-General*).

MUSTARD & CO., *v.* R. H. WRIGHT AND THE AMERICAN TRADING COMPANY.

An argument was argued yesterday in the above Court, upon a demurrer in the case of R. W. Mustard and Co., C. Bennet *v.* R. H. Wright and the American Trading Co. Mr W. A. C. Platt appeared for the plaintiffs and Mr. H. S. Wilkinson for the defendants. It was agreed that the name of the American Cigarette Company, originally inserted in the petition as being one of the defendants, be struck out, the Company being a British firm and registered in Hongkong; and his Honour further agreed to an application made by Mr. Wilkinson for an extension of time for an answer to the petition to be filed, the date being fixed for the 6th of May.

PETITION.

1.—The plaintiffs are American citizens and carry on business together in partnership in Shanghai, under the style or firm of Mustard and Company.

2.—The defendant R. H. Wright is also an American citizen having his permanent residence at Durham, N.C., in the United States, and is the sole proprietor of the right to sell and operate in China and elsewhere a certain machine for making cigarettes called the Bonsack Cigarette Machine.

3.—The defendant company is composed of American citizens and carries on business in Shanghai and elsewhere, the American Trading Company being the general agents and the managers in Shanghai of the American Cigarette Company.

4.—In the Spring of 1890 the defendant R. H. Wright came to Shanghai and negotiated with the plaintiffs for the sale to them for use in China of the said Bonsack Cigarette Machine, and, eventually offered in writing to sell to them one of the said machines for the sum of $7,000 American money, together with the exclusive right to the plaintiffs of working the said machine in China, the said R. H. Wright undertaking not to send or to sell for use in China Bonsack Cigarette Machines to any others than plaintiffs, and the plaintiffs accepted this offer.

For the precise terms and conditions of thi contract the plaintiffs beg leave to refer to the correspondence which passed between them and the defendant R. H. Wright having reference thereto.

5.—In pursuance of the contract the defendant R. H. Wright forwarded the said Bonsack Cigarette Machine to the plaintiffs who paid him the purchase price and went to great expense in fitting up a Cigarette Factory in which to work the said machine, and having done so commenced to manufacture cigarettes and to supply the market with as many as it required, and they have continued doing so up to the present date.

6.—During the month of May, 1895, the defendant R. H. Wright returned to Shanghai and entered into negotiations with the plaintiffs for the purchase at the sum of Tls. 50,000 of the whole of the interest, goodwill plant. machinery, etc., of the plaintiffs' cigarette business in Shanghai, together with the exclusive right to work the Bonsack Cigarette Machine in China, which right he had sold them, as before mentioned, in the Spring of 1890.

No sale, however, resulted from these negotiations.

7.—In the Spring of 1896 the defendant R. H. Wright again returned to Shanghai, and, without the plaintiffs' consent and in breach of his said contract referred to in paragraph 4 hereof, sold for use in Shanghai and China to the American Cigarette Company of which the American Trading Company, as before mentioned, are the general agents and managers in Shanghai, five Bonsack Cigarette Machines similar in all respects to the machine sold by him to plaintiffs in the Spring of 1890.

8.—At the time of the sale referred to in the last preceding paragraph both the American Trading Company and their agents were fully aware of the contract the defendant R. H. Wright had made with the plaintiffs and which is referred to in paragraph 4 hereof.

9.—The five machines so sold by the defendant R. H. Wright have been landed in Shanghai and the defendant companies have now under construction a building in which they intend to work and operate them.

The plaintiffs therefore pray:—

First, as regards the defendant R. H. Wright:—

(1).—That he may be ordered to pay to the plaintiffs as damages for breach of his said contract the sum of Tls. 20,000 S.S. or such other sum as may be allowed by this Honourable Court.

(2).—That he may be restrained in the future from selling for use in Shanghai and China, Bonsack Cigarette Machines to any others than the plaintiffs.

Secondly, as regards the defendant Company:—

(1).—That they may be restrained from working and operating in Shanghai and China the five Bonsack Cigarette Machines purchased by them from the defendant R. H Wright, or selling the said machines to any person or persons, company or association, whose intention it is to work and operate the same in Shanghai and/or China.

(2).—That the defendant company be restrained from acting as agents or managers in Shanghai and/or China or having any business relations with any person or persons company or association whose business it is to operate and work the Bonsack Cigarette Machine in Shanghai and/or China.

(3).—That all moneys now due or accruing due from the defendant company to the defendant R. H. Wright may not be paid over to him or to any one claiming under him but be paid to the Honourable Court and be dealt with as such Court shall direct.

Thirdly, as against all the defendants:—

(1).—That they, the defendants, may be ordered to pay the costs of this action.

(2).—That the plaintiffs may have such further or other relief as this Honourable Court may direct.

DEMURRER.

The American Trading Company, defendants above named, demur to the plaintiffs' petition and say that the same is bad in law on the following ground :—

1.—That by the said petition the plaintiffs claim a monopoly contrary to the common law.

2.—That in the said petition the plaintiffs claim a monopoly without showing title thereto.

3.—That the whole claim of the plaintiffs made in the said petition is alleged to be grounded upon an exclusive right acquired from R H. Wright therein named without showing any lawful title of the said R H. Wright to such exclusive right.

4.—That the said petition does not disclose any cause of action against the American Trading Company.

And on other grounds sufficient in law to sustain the demurrer.

Mr. Wilkinson said the principles he proposed to refer to were founded upon general rights which were secured to the forefathers of both the American and English people now. He referred to the statue of 21 James I, cap. 3, which was in force at the present day and therefore at the time when the forefathers of the Constitution settled it. The statute was one directed against monopolies, but sanctioned patents, under certain conditions, for fourteen years. When the American Constitution was framed that statute was borne in mind, the general law being that all monopolies were invalid, with certain exceptions for the benefit of authors and inventors. In the petition it had been alleged that the plaintiffs derived their rights from the patentee whose rights extended throughout the United States and territories, but, although the question might arise whether any such right existed here in China, he did not think it necessary to argue that, because his case was that if the suit were brought in the United States the petition would be cut out as being insufficient and not complying with the law. He contended that if that were a patent action, then the particulars of the petition must be given so that his clients might be in a position to defend the suit, and they were entitled to show any of five things *viz.*, that the patent as a patent was obtained by misrepresentation; by some person who was not the proper inventor; that it had been patented before; that it was not an original and first invention; that it had been in use and sale before. The plaintiffs had in the petition, claimed a monopoly on the ground of some alleged right which they said Mr. Wright had, and the American Trading Co. were entitled to ask that they should be shown what that right was. As a matter of fact the defendants were prepared to show, if necessary, that the patent had expired.

Mr. Platt argued that in order to constitute a monopoly, there must be a licence or privilege granted by the Crown or Government, but in the present case there was nothing of that sort, and his clients claimed no such licence. In order to hold that the plaintiffs were claiming a monopoly, it was necessary to find out whether the exclusive privilege of operating the machines had been granted to them by the United States Government. As it was they had not, and all they had was the benefit of an agreement with a private individual that he would only sell to them. The plaintiffs did not claim a monopoly. What they claimed was that the defendant Mr. Wright had made a certain contract with them which he deliberately broke, and the American Trading Co. being aware of the transaction were parties to the breach. This knowledge of the transaction was acknowledged by the American Trading Co. After a somewhat lengthy argument, learned counsel concluded by saying that his clients merely wanted that the defendant company should not be allowed to buy from the defendant Mr. Wright or those whom he represented on account of his contract with the plaintiffs, and he therefore asked that the demurrer be over-ruled.

Mr. Wilkinson replied that if Mr. Platt was not claiming a monopoly, he should like to know what a monopoly was.

Mr. Platt said Mr. Wright had committed a breach of contract which was made with the plaintiffs.

Mr. Wilkinson contended that there had never been a case in the United Kingdom or United States in which a person had been prohibited from buying from another because that man had a contract to sell all his productions to another particular person. In short he contended that the whole claim by plaintiffs was based upon a monopoly which he thought was illegal.

Judgment reserved.

U. S. CONSULAR COURT.

Shanghai, 28th April.

(Before MR. T. R. JERNIGAN,
Consul-General, Acting Judically.).

MUSTARD & Co. *v.* R. H. WRIGHT, THE AMERICAN CIGARETTE CO. AND THE AMERICAN TRADING CO.

This was an argument upon a demurrer in the suit instituted by R. W. Mustard and C. C. Bennett against R. H. Wright, The American Cigarette Co. and The American Trading Co. Mr. W. A. C. Platt (Messrs. Johnson, Stokes & Master) appeared for the plaintiffs, and Mr. H. S. Wilkinson for the defendants. By consent of the parties the "American Cigarette Co." was struck out as defendant.

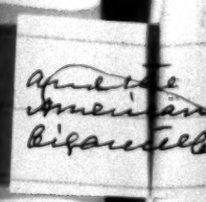
JUDGMENT.

The plaintiffs, in their petition allege: That in the Spring of 1890, the defendant Wright came to Shanghai and offered to sell to the plaintiffs the exclusive right of working the Bonsack Cigarette Machine in China, and that subsequent negotiations resulted in the plaintiffs buying of the defendant Wright, the exclusive right of working the said Bonsack Cigarette Machine in China, and for the precise terms and condition of the contract between the plaintiffs and defendant Wright, the plaintiffs refer to the correspondence between them on the subject. The plaintiffs further allege that notwithstanding the exclusive sale to them, as aforesaid, the defendant Wright afterwards came to Shanghai and without the plaintiffs' consent, and in breach of his contract with them, sold for use in Shanghai and China, to the American Cigarette Company, of which the American Trading Company, one of the defendants, are the General Agents, five of the Bonsack Cigarette Machines, similar in all respects to the Bonsack Cigarette Machine sold by the defendant Wright to the plaintiffs in the Spring of 1890, and that at the same time of this sale both the American Cigarette Company, and their agents, the American Trading Company were fully aware of of the contract the defendant Wright had made with the plaintiffs, and that the five Bonsack Cigarette Machines thus sold by defendant Wright to the American Trading Company, as agents aforesaid, have been landed at Shanghai, and the defendant companies have now under construction a building in which they intepd to work and operate them. The plaintiffs therefore pray judgment: First, against the defendant R.H. Wright, as damages for breach of said contract, the sum of twenty thousand taels Shanghai sycee, and that he may by restrained in the future from selling in Shanghai and China Bonsack Cigarette Machines; Second, that the defendant companies be restrained from working and operating in Shanghai and China the five Bonsack Cigarette Machines purchased by them from defendant Wright or selling said machines to any person or company whose intention it is to operate and work the same in Shanghai or China; that each of defendant companies be restrained from acting as agents or managers in Shanghai or China or having any business relation with any person or company whose business it is to operate and work the Bonsack Cigarette Machine in Shanghai and for China; that all monies now due or accruing from either of the defendant companies to the defendant R. H. Wright may not be paid over to him or to anyone claiming under him, but be paid into court to be dealt with as the court shall direct, and for cost.

The defendants demur to the petition of the plaintiffs in that it is bad in law; that the plaintiffs claim a monopoly to contrary to common law; that the plaintiffs claim a monopoly without showing any title thereto; that the claim of the plaintiffs, made in the petition, is alleged to be grounded upon an exclusive right acquired from R. H. Wright therein named without showing any lawful title in said R. H. Wright to such exclusive right; that the petition does not disclose any cause of action against the American Trading Company; and on other grounds sufficient in law to sustain the demurrer.

By the laws of the United States inventors have an exclusive right to their inventions, the limitations as to time being also provided by law, and during the extistence of such right the exclusive privilege of disposing of the inventions is expressly guaranteed to inventors by the Statute laws of the United States. The protection thus afforded inventors in no sense violates any organic or Statute law of the United States that may define what monopolies are or provide against them. It is the protection justly afforded intellectual skill and genius, encouraging useful citizenship, and saying to the citizen that the achievements of his industry and ability shall be protected and guaranteed to him and his family for a reasonable time. All civilized codes contain provisions protecting inventors, and a most enlightened feature of the administration of the Taotai of Shanghai was a recent, proclamation by him forbidding, under penalty, the infringement or counterfeiting of foreign patents by Chinese. The Court is unable to understand, from the allegations in the petition, that when the defendant Wright sold to the plaintiffs the Bonsack Cigarette Machine as alleged, or when the plaintiffs purchased the Bonsack Cigarette Machine, as alleged, that in either case a monopoly, in the ~~local~~ legal interpretation of a patent and the rights and privileges thereto belonging, was claimed or sought to be established, but that the seller and purchaser were exercising rights allowed by law.

It was stated in the argument that although the right of a patentee or inventor under United States law might be enforced in the United States, such rights could not be enforced outside of the United States. The comity obtaining between some nations on the subject is so throughly entrenched in public approval as to encourag the belief that ere long the



principle of international copyright will be a more generally approved principle of international law, but this cause is before a United States Court, and, although sitting in the Empire of China, its proceedings are the proceedings of a United States Court sitting within the territorial limits thereof, and suitors must rely upon United States law for the protection of their rights and the redress of their wrongs. The demurrer is overruled.

U.S. CONSULAR COURT.

(Before Mr. T. R. JERNIGAN, *Consul-General Acting Judicially*, and Messrs. F. E. HASKELL and A. W. DANFORTH, *Assessors*.)

Shanghai, 14th May, 1897.

R. W. MUSTARD AND C. C. BENNETT, PLAINTIFFS,

v.

R. H. WRIGHT AND THE AMERICAN TRADING CO., DEFENDANTS.

As was briefly reported in our issue of yesterday, the trial of this suit was commenced at 2 p.m. yesterday, his Honour refusing to grant the adjournment applied for by Mr. H. P. Wilkinson, Counsel for defendant Wright.

Mr. W. A. C. Platt (Johnson, Stokes and Master), Counsel for plaintiffs, said the American Cigarette Co. had been left out of the suit and therefore was not being proceeded against as it turned out that that company had been registered in Hongkong as a British firm. He then proceeded to read the petition (published in our issue of April 19th), and the answer to the petition which reads as follows:—

The answer of Richard H. Wright, one of above-named defendants, to the petition of the above-named plaintiffs shows as follows:

1.—The said defendant Richard H. Wright (hereinafter called "the answering defendant") admits paragraph 1 of the petition.

2.—In answer to paragraph 2 of the petition the answering defendant say that he is an American citizen, having his permanent residence at Durham, N.C., in the United States, and that he was up to the year 1895 the sole licensee under the patentee of two United State patents, numbered 238,640 and 247,795, known as the First Bonsack Patent and the Second Bonsack Patent, of the right to sell for use in China a certain machine for making cigarettes, called the Bonsack Cigarette Machine, a machine constructed under the said patents.

3.—In answer to the third paragraph of the petition the answering defendant admits that the American Trading Company is an American Company carrying on business in Shanghai and elsewhere, and that the American Trading Company, aforesaid are the general agents of a British Company called the American Cigarette Company, Limited.

4.—In answer to paragraph 4 of the petition the defendant admits that in the spring of 1890 he came to Shanghai and negotiated with the plaintiffs for the sale to them for use in China of the said Bonsack Cigarette Machine, and eventually agreed with the plaintiffs to sell to the plaintiffs, subject to certain conditions, one of the said Bonsack Cigarette Machines for the sum of seven thousand dollars ($7 000) American money with the exclusive right while the said patents were in force of purchasing the said Bonsack Cigarette Machine for use in China, one of the said conditions being that the plaintiffs should operate the same machine and press the sale of the cigarettes made by the said machine so as to create a further demand for the said Bonsack Cigarette Machines, and the answering defendant further admits that it was agreed that if the plaintiffs duly fulfilled the conditions aforesaid, the answering defendant should not, so long as the patents aforesaid continued in force, send or sell for use in China any of the said Bonsack Cigarette Machines to any other than the plaintiffs.

5.—In answer to paragraph 5 of the petition the answering defendant says that in pursuance of the said agreement the answering defendant forwarded one of the said Bonsack Cigarette Machines for the plaintiffs, who paid him the purchase price, but he denies that they went to great expense in fitting up a cigarette factory in which to work the said machine, or that they ever properly supplied the market with cigarettes made by such machine, or that they are at the present time making any cigarettes with the said machine

6.—In answer to the sixth paragraph of the petition the answering defendant says that down to the month of May, 1895, the plaintiffs represented to the defendant that they were using their best endeavours to push the sale of cigarettes made by the said machine, but that they had incurred great loss in operating it. In the month of May, 1895, while the said patents were still in force, the answering defendant came to Shanghai and complained to the plaintiff, Charles Carroll Bennett, that the said machine had not been properly worked and that the answering defendant had lost the benefit of the sale of further machines which he would have obtained if the sale of cigarettes made by the said machine had been pushed, as had been agreed between the answering defendant and the plaintiffs, and the said plaintiff, Charles Carroll Bennett, then represented to him that the plaintiffs had sold the said Bonsack Machine, together with all the rights of the plaintiffs under the agreement referred to in paragraph 4 hereof, to a company called the Mercantile Tobacco Company; that the said machine had been worked by the said Company at a loss, and that the plaintiffs, in consequence of arrangements which they had made with a Company in the United States called the American Tobacco Company, were precluded from manufacturing cigarettes or selling the product of the said machine. The answering defendant thereupon complained to the said plaintiffs that in making such arrangements with the American Tobacco Company the plaintiffs had deprived themselves of the power of carrying out the conditions upon which the said machine had been sold to them, and it was finally agreed between the answering defendant and the said Charles Carroll Bennett, with a view to an amicable settlement of the differences between them, that the said company should give an "option" to the answering defendant, and that the defendant would use his best endeavours for the sale of the said machine to another company, and the "option," of which the following is a copy, was accordingly forwarded to the answering defendant. The confirmation by the plaintiff, Robert West Mustard, required by the said option, was never given and no sale was made under the said option

7.—In answer to paragraph 7 of the said petition, the answering defendant says that in the month of September, 1895, the patents aforesaid came to an end, and in the spring of 1890 the answering defendant, being then

free from any obligation towards the plaintiffs not to sell to others, came to Shanghai and sold to the American Trading Company, on behalf of a company then to be formed and which was thereafter formed, five cigarette machines, but such machines were not similar in all respects to the machine sold by him to the plaintiffs in the spring of 1890, but materially differed from such machine.

8.—In answer to paragraph 8 of the petition the answering defendant says that the company on whose behalf the said five machines were purchased by the American Trading Company was incorporated as a British Company on the 8th of September, 1896, and is called the American Cigarette Company, Limited. The said Company had no notice of any agreement between the answering defendant and the plaintiffs, and the answering defendant further says that the American Trading Company, at the time of the sale of the said five machines, were informed by the answering defendant, as the fact was, that the patents under which the machine were sold to the plaintiffs had expired, and that the answering defendant was free to sell similar machines to any person in China.

9.—In answer to the ninth paragraph of the petition the answering defendant says that the five machines sold as aforesaid have been landed in Shanghai, and the American Cigarette Company have erected a building in which they intend to work and operate them. In further answer to the said petition the answering defendant says :—

10.—The plaintiffs have broken the conditions upon which they purchased the said machine in agreeing with the American Tobacco Company not to sell the product of the said machine, and in other respects to the great damage of the answering defendant, and the answering defendant will contend that by such breach of such conditions the answering defendant was released, even before the expiry of the said patents, from any obligation to the plaintiffs to abstain from selling to others in China machines similar to that sold to the plaintiffs.

Copy of "option" above referred to.

Shanghai, 9th June, 1895.

R. H. WRIGHT Esq.,

New York.

DEAR SIR,—As requested in your letter of 23rd May to Messrs. Mustard & Co., we beg to confirm the conversation held with you on 17th May on the subject of the sale of the Mercantile Tobacco Company *viz.*, that subject to the approval of and confirmation by Mr. R. W. Mustard, who you are to see in New York, or elsewhere in the United States, we offer you for the sum of not less than fifty thousand taels, Shanghai sycee, the whole of the interest, good will, plant machinery, tobacco, cigarette boxes, labels and fixtures at the time of the sale belonging to the said Mercantile Tobacco Company of Shanghai, No. 18 Broadway and at present insured for Tls. 28,300 together with the right to China for the Bonsack Machine which we purchased from you in 1890, the above offer to remain open until 31st of December this year; all goods in transit at the time of sale must be taken over by you at cost price.

Yours faithfully,

The Mercantile Tobacco Company,

(Sd.) L. ANDERSEN,

Manager.

Approved,

(Sd.) J. AMBROSE,

(Sd.) C. C. BENNETT.

The answer of the American Trading Company one of the defendants above-named to the petition of the above- named plaintiffs :—

In answer to the said petition the said defendants, the American Trading Company, hereinafter called the answering defendants, say as follows :—

1.—In answer to paragraph 1 of the petition the answering defendants admit, as is there allegrd, that the plaintiffs are American citizens and carry on business together in partnership in Shanghai under the style or firm of Mustard & Co.

2.—In answer to paragraph 2 of the petition the answering defendants admit that the defendant Richard H. Wright is also an American citizen, having his permanent residence at Durham, N.C., in the United States, but they deny that he is the sole proprietor of the right to sell or operate in China the machine therein referred to as the Bonsack Cigarette Machine.

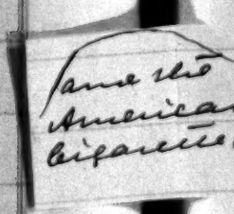
3.—In answer to paragraph 3 of the petition the answering defendants say that they are an American company composed of American citizens and incorporated under the laws of the State of Connecticut, and that they carry on business in Shanghai and elsewhere. They also admit that they are the general agents and managers in Shanghai of a company called the American Cigarette Co., Ld., but they say that such last-mentioned company is a British company incorporated under the laws of the Colony of Hongkong, the members whereof are citizens and subjects of different nationalities, and they are advised and believe that such last-mentioned company is not subject to the jurisdiction of this Honourable Court. They also say that they are not agents or managers for any other company bearing the name of the American Cigarette Company.

4.—In answer to paragrap 7 of the petition the answering defendants say that in the spring of 1896 they purchased from the defendant, Richard H. Wright, on behalf of a company then to be formed and which was thereafter formed, being the American Cigarette Company Limited, above-mentioned, five cigarette machines, but they deny that such machines were in all respects similar to the machine sold by the defendant Richard H. Wright to the plaintiffs in the spring of 1890, and say that they differed materially frem the said machine.

5.—In answer to paragraph 8 of the petition the answering defendsnts say that at the time of the purchase of the five machines above-mentioned they were aware that in the spring of 1890, or thereabouts, the defendant Richard H. Wright had made a contract with the plaintiffs for the sale to them of one Bonsack Cigarette Machine, but they then believed, and now believe, and say that the fact is that there is nothing in the said contract precluding the said Richard H. Wright from selling to the answering defendants at the time he did sell the said five machines, and further that the said contract had come to an end.

6.—The answering defendants do not admit any of the other allegations contained in the petition and leave the same to be proved.

7.—The answering defendants will contend that the petition discloses no ground of action against the answering defendants.



8.—The answering defendants will also specially contend that even if the defendant Richard H. Wright had agreed with the plaintiffs not to sell machines to any other than the plaintiffs, the answering defendants are not precluded thereby from purchasing machines from the said Richard H. Wright, or from any other person whatsoever.

9.—And the answering defendants will further specially contend that the plaintiffs are not entitled to have the answering defendant restrained from acting as agents or manages in Shanghai, and or, China to the American Cigarette Co., Ld., although such last-mentioned company may operate and work the Bonsack Cigarette Machine in Shanghai, and or, China.

And the answering defendants pray that the petition of the plaintiffs may be dismissed as against them with costs.

U.S. CONSULAR COURT.

(Before Mr. T. R. JERNIGAN, *Consul-General Acting Judicially*, and Messrs. F. E. HASKELL and A. W. DANFORTH, *Assessors*).

R. W. MUSTARD AND C. C BENNETT, PLAINTIFFS,

v.

R. H. WRIGHT, THE AMERICAN CIGARETTE CO., AND THE AMERICAN TRADING CO., DEFENDANTS.

The following judgment was delivered this afternoon in the above suit, in which Mr. W. A. C. Platt, (Messrs. Johnston Stokes and Master) represented the plaintiffs, and Mr. H P. Wilkinson the defendant Wright, and Mr. H. S Wilkinson the defendant Co:—When this case was before the Court, on demurrer, it was argued that if the contentions of the plaintiffs were sustained a monopoly would be given them and that monopolies were contrary to the common law. In over-ruling the demurrer the Court held that the plaintiffs based their right to a judgment against the defendants upon a contract made with the defendant Wright, and against the other defendants for being a party to the violation of that contract by Wright. It was not held that there had been or that there was a contract, because that question was not then before the Court, but the principle which based the overruling of the demurrer related to the patent laws of the United States and not to the doctrine of monopolies, for if the plaintiffs could claim the exclusive right to the use of the Bonsack cigarette machine at Shanghai and in China, the right to such exclusive use was the right sold them by the defendant Wright and this defendant could only sell the privileges and rights guaranteed by the laws under which the Bonsack cigarette machine was patented. If there had been no patent granted for the machine it follows that there could be no exclusive rights, and whatever exclusive rights and privileges the defendant Wright did have to sell to the plaintiffs must, therefore, have been the rights and privileges which the patent laws give and protect, and these were such only as the plaintiffs could have bought. It is logical that the plaintiffs could only buy what Wright had the authority to sell, and that no one can sell an exclusive right to a machine for a longer period than the patent laws give existence to the right. And the fact that a United States Court, as this is, sits in China can, in no way, though intimated in the argument to the contrary, depart from a strict enforcement of United States law. Wherever a United States Court sits the law of the United States governs its proceedings and influences its decisions; and though holding its session within the territorial limits of China, the treaty between the United States and China provides that no American citizen, residing in China, can have his right adjudicated except in the consular courts of his country sitting in the empire of China, such courts being United States Courts and governed by laws passed by the Congress of the United States.

The case is now before the Court on the amended pleadings, presenting in full the allegations and answers of the parties, and the evidence relied upon to sustain each; and having for associates gentlemen of wellknown business capacity, the natural embarassment of passing upon conflicting evidence has been relieved by their discriminating judgment, keeping in view at the same time the elementary principles which must govern in reaching a conclusion.

If either party to this case was asked what defence he most relied upon as a protection to the full enjoyment of his home against any claimant, he would doubtless answer the paper writing in which was conveyed to him the title to that home the notice which the recording of such paper writing gave to all the world that the title, therein conveyed was his. Although in the early periods of English history the conveyance of land was usually without writing, the delivery was nevertheless accompanied with overt acts equivalent in point of formality and certainty, to deeds. The ancient policy was in favour of the entire publicity of the conveyance, as is evidenced by the old doctrine of the fine of record, the livery under the feoffment, the enrollment of a bargain and sale, and the attornment under a grant: and in the laws of Scotland the principle is practically illustrated by symbolical delivery. The "earth and stone," or "clap and happer," or "net and cable," were, in Scotland, the emblematical symbols of the field, or mill, or fishery. But as knowledge increased conveyance by writing became more prevalent, resulting in the enactment of laws prescribing the muniments of a valid title, and thus substituting the more enlightened method for the primitive one indicated. A written conveyance properly executed and registered is notice to all the world of the rights

of the owner, and is the valid muniment of title substituted for the charter which the Saxon exhibited as proof of the right to possess his castle. And not to recognise such a principle would unsettle business and reduce society to the state of nature compared by Cicero to a great theatre wherein the place occupied by each individual was, for the time, his own.

It is believed that the object of the legal principle which gives certainty and safety to business affairs by registration laws is not materially different from the object of the legal principle, which has provided patent laws in order to promote science and the useful arts, for letters patent are not granted as a restriction upon the rights of the community, nor can they be held to be in restraint of trade. A patent right is the right granted by the public for the skill and ingenuity of the inventor, and in an age distinguished by an active and ardent spirit of improvement in the arts of agriculture and manufacture, and in the machinery of every kind applied to their use, the spirit of public justice has provided, in the patent laws, a protecting shield for industry and genius, as well as an encouragement by securing to inventors the exclusive rights to their patents for a certain period, during which time they may assign the same in whole or in part or make testamentary disposition as of other property.

In the case of Bonsack Mach. Co. and others versus Smith and others, it was decided, by the United States circuit court for the Western District of North Carolina, that the Bonsack Cigarette Machine had been legally patented and that the patentee was entitled to all the protection guaranteed by law, and consequently that the patent so granted and recorded was notice to the world of the rights of the patentee. And when the defendant Wright came to Shanghai and sold to the plaintiffs the exclusive right for Shanghai and China to use the Bonsack Cigarette machine, he could only sell what rights the law allowed under the patent and no other, and as the patent had been properly recorded, it was notice to the plaintiffs of the extent and duration of said rights. The Court holds that the defendant Wright did make a contract with the plaintiffs as alleged in their petition, but the fact that the plaintiffs resided in China cannot except them from the legal principle announced as securing business certainty and safety, nor would this principle permit the defendant Wright to become an exception by selling what, under the law of patents, did not belong to him. The principle is applicable, and with equal force, to both the plaintiffs and the defendant Wright.

It was in evidence, and admitted as a provision of the contract, upon the insistence of the defendant Wright, that for a period of ten years, from the date of the contract, the plaintiffs were to be restricted in certain particulars in the disposition or use of the Bonsack cigarette machine. The maximum period of limitation thus imposed exceeded, by several years, the period within which the law gave life to the patent, and while the answer of the defendant Wright, that he could not sell rights, under the patent, longer than the life of the patent, is true, why then should he have insisted in having a provision in the contract, which, under the patent, there was no authority for? In his answer the defendant Wright says that the provision was "designedly introduced for the special purpose or reserving to himself the privileges of selling the machine to other parties after the expiration of the rights under the patent and before the ten years should expire." There is ingenuity in the idea, but justice cannot reconcile, in this regard, the consistency of the answer of the defendant Wright, for after the expiration of the patent he would have been no more at liberty, by the reservation, to sell the machine than others, and it was not equity to impose upon the plaintiffs, who had, in good faith, bought his machine, a restriction denying to them a privilege enjoyed by all others after the expiration of the patent. If there could be an exception to the notice that must be taken of a patent duly recorded, it appears that the restriction "designedly introduced" by the defendant Wright would make the plaintiffs an exception, and under the circumstances, the Court feels justified in awarding the plaintiffs their proper cost against the defendant Wright.

As it was admitted that the defendants American Cigarette Co. was a British corporation and therefore not amenable to the jurisdiction of this Court, and it being proved that the other defendants American Trading Co. was the agent only of the American Cigarette Co. there is nothing in the evidence to bring the agency within the provision of any law imposing a separate responsibility from the principals. If the agency had not been proven, the evidence shows that the purchase of the machines from the defendant Wright was made after the patent had expired and when anyone was free to buy or sell.

In view of the elementary principle which has guided the Court to the conclusion reached, the damages claimed by the plaintiffs against the defendant Wright, if any have been proved, as well as the injunction asked for against the defendant American Trading Co. need not be considered.

Signed by the Recorder General and addressed to by the Assessors,

No. 235.

Copy sent to Auditor Jany. 20. 1898.

CONSULATE GENERAL OF THE UNITED STATES,

Shanghai, China, 28th July, 1897.

3 ASST. SECRETARY. SEP 1 1897

Honorable William R. Day,

Assistant Secretary of State,

Washington, D.C.

INDEX BUREAU RECD. AUG 27 1897 DEPT. OF STATE

S I R:

As the Consular Regulations direct that issues between the Auditor for the State and Other Departments and Consular officers should be submitted to the Department, I have the honor to submit my views with reference to a letter of June 11th, received from the Auditor on the subject of exchange.

Under the administration of my predecessors exchange was calculated upon the treasury valuation of the Mexican dollar, and for nearly a quarter of a century that has been the rule governing the exchange accounts of our Consulates in China. During the first quarters of my administration the treasury valuation of the Mexican dollar was the basis upon which my exchange accounts were made and allowed; and this rule was applied, as stated, in the adjustment of the accounts of my immediate predecessors, Messrs. Leonard, Jones and Hunter. But on May 12th, 1896, I received from the Auditor a letter dated April 9th, 1896, in which this language appears: "Your overcharge of loss by exchange on drafts (as follows), you having used the Treasury valuation of the Mexican dollar, instead of the Chinese Tael, in making your reductions". This letter of April 9th, 1896, is the first letter received from the Auditor in which the word Chinese Tael appears, and the first intimation that the uniform rule which had so long prevailed, and been approved of, was changed. There was before me the records of this Consulate General, covering many years, showing that the Treasury valuation of the Mexican dollar had been the approved rule for calculating exchange.

I have not intended, and do not intend,

to

No. 486.

CONSULATE GENERAL OF THE UNITED STATES,

Shanghai, China, 28th July, 1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington, D.C.

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to make any issue with the Auditor on this subject while in office, but when it is decided that the Treasury valuation of the Mexican dollar is no longer to govern in calculating exchange, the decision should be clearly made known, expecially for China, where there can be said to be no recognized standard of value approximating as much certainty in value as the Mexican dollar, except the copper cash, which is the national currency of China, if she has any national currency at all. The Tael is simply a weight, just as would be a piece of silver dug from a mine; and its weight varies in the different provinces of China, and is not fixed in purchasing power as is the Mexican dollar, which circulates more freely. What I wish to be understood about is this: When following an unbroken precedent of many years, and having my own accounts approved on the line of such precedent, the disapproval that has followed may have been delayed until I had understood how the Auditor wanted exchange calculated. My Correspondence with the Auditor has been to learn his wants and then to comply, and in view of the change made, -substituting the Tael value for the Mexican dollar value, I submit that this change was so radical a departure from established precedent as to justify the fullest inquiry on my part.

The United States naval squadron in Chinese waters use the Treasury valuation of the Mexican dollar as the rule for exchange accounts in that branch of the service; the naval officers and men are paid their salaries in Mexican dollars according to the Treasury valuation of gold and the Mexican dollar; but according to the Auditor's ruling the anomaly is presented in this port of United States officers being paid according to different rules fixing values; --the naval officers being paid according to the Treasury valuation of the Mexican dollar, and the Consular officers according to the valuation of the Chinese Tael. Both of these officers --the naval and consular--serve under the same flag; their loyalty is due to the same Government, to which they are proud to give it with unfailing fidelity, and the spirit of the constitution

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is opposed to the payment of one class, for his services, by rules different in principle, and which makes the pay of one less than the pay of the other. I will not have any issue with the Government with reference to my accounts while in office, and I have rendered my last quarterly accounts to accord with the decision of the Auditor, but there is no principle of American law to justify a decision by which the salary of a consular officer in China should be measured by a rule that does not give him the same measure of justice in value as the rule by which the salary of a naval officer, serving in the waters of China, is measured. The bills of exchange, which are negotiated to pay both classes of officers, are negotiated at the same banks, and the money received over the same counter. The statement of the principle appears to me to evidence such discord as to jar all equity and justice.

I have the honor to be,

S I R,

Your obedient servant,

M. Jernigan

Consul General.

CONSULATE GENERAL U. S. A.

Shanghai, China, 19

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

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I have the honor to be,

Sir;

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for S

Your obedient servant,

Consul General.

CONSULATE GENERAL U. S. A.

Shanghai, China, July 24 1897.

Mr. JERNIGAN,

To the Department of State.

SUBJECT:

Shanghai

file

CONSULATE-GENERAL OF THE UNITED STATES
OF AMERICA.

3rd. ASST. SECRETARY.
AUG 4 1897

REC'D.
4 1897
DEPT. of STATE

Minneapolis ~~SHANGHAI~~ August 1st ,1897.

Hon. Thomas W. Cridler, Third Asst Secretary of State,

Washington, D. C.

Sir;--

I leave today for Olympia and will be there until the ninth of August. Will go from there to San Francisco and expect to sail for Shanghai on the fourteenth.

Very respectfully,

John Goodnow

Consul General.

CONSULATE GENERAL U. S. A.

"Shanghai"

ODNOW. MRS. J. L. LAWTHER.

GOODNOW & LAWTHER,

DEALERS IN THE BEST GRADES OF

Coal and Wood.

file

BUREAU
1897
STATE

OFFICE:
H STREET SOUTH.

Minneapolis, July 29th. 1897.

Hon. Thomas W. Cridler,

Third Assist. Secy. of State.,

Washington, D. C.

3rd. ASST. SECRETARY
AUG 3 1897

Sir :-

I have received my pass port as Consul General to Shanghai, and a copy of Consular Regulations and a duplicate order to Thomas R. Jernigan, Shanghai, to deliver to me all the property in his possession belonging to the United States upon my application and also circular #3 calling my attention to #69 of Consular Regulations.

Very Respectfully,

John Goodnow

Consul General.

COODNOW & LAWTHER.

Coal and Wood.

Con "Shanghai" File 2

APPOINTMENT CLERK. AUG 3 1897 Department of State.

INDEX BUREAU REC'D. AUG 3 1897 DEPT. OF STATE

Warren, Ohio Aug 2, 1897.

Hon Alvey A. Adee
Dept of State.
Washington, D. C.

Am to bond other August 5

Dear Sir.

My notice of appointment to be Marshall of the Consular Court of the United States at Shanghai China, came to hand July 30th. I immediately made out my bond and sent it to Senator Foraker for approval. It has not returned yet but will be immediately forwarded when it does. Yours Truly

inclose my oath of allegiance and
of office. The vessel I
wish to sail on leaves San Fran-
cisco on the fourteenth of this
month. This would make it
necessary to have home the latter
part of this week.

Should we have home without
the commission and have forwarded
would it be necessary to have
it with me? In
any case I should like to
have it as soon as possible.

In regards to my birth-place
I was born and raised in
Urbana, Champaign County, Ohio.

Very Respectfully
Urbana, Ohio. Geo H. Eichelberger

No. 136.

Consulate General of the United States,

Shanghai, 28th August, 1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington, D.C.

Sir:

I have the honor to report the death of Henry E. Miller, an American citizen, who died of Tuberculosis Hyperpyrexia, at Shanghai, on the 14th of July, 1897. Mr. Miller was forty one years of age; and was in the employ of the American firm S. Hankin & Co., of Shanghai. He left no effects. During his illness Mr. Miller received every possible attention. He was interred in the Shanghai Cemetery, ~~and his~~

I am, Sir,

Your obedient servant,

M. Jernigan

Consul General.

No. 136.

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Shanghai, 28th August, 1897.

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Assistant Secretary of State,

Washington, D.C.

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I am, Sir,

Your obedient servant,

Consul General.

237

Desp. Oct. 19/97.

Mr Emory —
Mr Sheldon

CONSULATE GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 2nd Sept., 1897.

INDEX BUREAU RECD. OCT 6 1897 DEPT. OF STATE

REPORT FILED IN BUREAU OF FOREIGN COMMERCE FOR PUBLICATION

Hon. William R. Day,

Assistant Secretary of State,

Washington, D.C.

3rd. ASST. SECRETARY OCT 8 1897

Sir:

I have the honor to enclose a report on the Salt Wells of China.

I am, Sir,

Your obedient servant,

W. Derrickson

Consul General.

One enclosure, above mentioned.--

No. 237

CONSULATE GENERAL U. S. A.,

Shanghai, China Sept 3rd 1897

Mr. JERNIGAN,

To Department of State

SUBJECT:

Report on Salt
mines of China

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Consular Bureau

CONSULATE GENERAL OF THE UNITED STATES.

INDEX BUREAU REC'D. OCT 14 1897 DEPT OF STATE

3rd ASST. SEC. OCT 18 1897

SHANGHAI, CHINA, 14th Sept., 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington, D.C.

Sir:

I have had the honor to receive Department's circular of July the 29th, enclosing copies of the tariff of United States Consular fees prescribed by the President in Executive Order of July 27th, which is republished in t the circular.

Until Congress passes a law enabling the Department to pay our Consuls proper salaries, the President is just to the Consular service in doing what he can to make suitable provisions for it in restoring such fees as have heretofore been allowed as unofficial, and any complaint on that line is fully answered by the absolute need of the service.

The President might make another order abolishing the undignified feature of requiring Consuls to pay part of the rent of the Consular building when any part may be occupied by them for private use. If the rent allowed is s sufficient to secure a building large enough for Consular purposes, with a few rooms to spare, and the rooms should be convenient forthe private use of the Consul, he should be allowed to occupy them without charge.

There is not a British Consul in China who does not receive a larger salary than our Consul General at Shanghai; and the British Government always furnish British Consuls with a home free. Such is the policy of other governments. Our Consul General at Shanghai should receive not less than $8,000. a year, and when our Consuls are properly paid then all fees should be returned to the Government.

W. Jernigan

Consul General.

No. 238

CONSULATE GENERAL U. S. A.,

Shanghai, China Sept. 14 1899

Mr. JERNIGAN,

To State Dept.

SUBJECT:

Acknowledging circular of July 29th

CONSULAR BUREAU.
NOTED.

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CONSULATE GENERAL OF THE UNITED STATES.

INDEX BUREAU
RECD.
OCT 14 1897
DEPT. OF STATE

SHANGHAI, CHINA, 18th Sept., 1897.

Hon. William R. Day,

Assistant Secretary of State,

Washington, D.C.

Sir:

I have the honor to enclose a certificate of the marriage of G. Isaac Sterling to Annie Sterling.

I am, Sir,

Your obddient servant,

W. Jerrigan

Consul General.

One enclosure, as above mentioned.

No. 229

CONSULATE GENERAL U. S. A.,

Shanghai, China Sept 7 1897

Mr. JERNIGAN,

To State Dept

SUBJECT:

Enclosing marriage certificate

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA, August 24th 1897

I, J. R. Jernigan CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, do hereby certify that on this 24th day of August A.D. 1897, at the Consulate General in SHANGHAI, L. Isaac Sterling aged 36 years, born in Pskov Russia, and now residing in Shanghai China and Annie Sterling aged 24 years born in Kovna Russia and now residing in Shanghai China, were united in marriage before me, and in my presence, by Rev John R. Hykes who is authorized by the laws of United States to perform such a ceremony.

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI *this* 28th *day of* August, *A.D.* 1897, *and of the* INDEPENDENCE OF THE UNITED STATES *the* 122nd.

J. R. Jernigan

U. S. Consul General.

file Consular Bureau

No. ~~129~~ 240

Consulate-General of the United States,

Shanghai, Sept 20, 1897.

INDEX BUREAU
REC'D.
OCT 25 1897
DEPT OF STATE

Mr. J. R. Jernigan

To the Department of State.

3rd. ASST. SECRETARY.
OCT 26 1897

Subject:

Retirement from official duty

Abstract of Contents.

Notifying the delivery of the seal and archives of this Consulate General to Mr. John Goodnow.

No. 2040

Consulate-General of the United States,

Shanghai Sept. 20, 1897.

Honorable Wm R. Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to inform you that in accordance with Departments instructions on July-23-1897. I have this day delivered the seal and records of this Consulate-General to my successor, Mr. John Goodnow. Mr. Goodnow was received by me with the courtesy due his official position and his polite bearing towards me has made it very agreeable to extend to him the attentions which I thought would add to the pleasure of his official and social relations at this important center of Asiatic Commerce. I shall remain in China for a month or so, and as soon as I return will notify the Department, and visit Washington at the earlist possible time to complete my final settlement.

I am, very respectfully
Your obedient servant.

T. R. Jernigan
Consul-General.

Consular Bureau

No. 1.

Consulate-General of the United States,

Shanghai - Sept 20 1897.

INDEX BUREAU
REC'D.
OCT 25 1897
DEPT OF STATE

Mr. John Goodnow

To the Department of State.

3rd. ASST. SECRETARY.
OCT 26 1897

Rec'd, awaiting University Joint certificate
acic Oct 28.97

Subject:

Entrance upon Duties of Office.

Abstract of Contents.

Took charge of Shanghai Consulate-General this date.

No. 1

Consulate-General of the United States,

Shanghai, Sept. 20, 1897.

Honorable Wm R. Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to inform you that I have this day taken charge of the Consulate-General at Shanghai having received my commission and Exequator from Pekin on Sept. 19-1897.= I find the business of the Consulate in good condition. I desire to express to you my obligations to Hon. J. R. Jernigan, the retiring Consul-General. From the time I reached Shanghai he has show the utmost courtesy to me officially and has taken every pains to explain to me the workings of the office. In addition to this he has done everything in his power by his personal influence to introduce me favorably to the business and social life of Shanghai.

I have the honor to be,

Sir

Your obedient servant.

John Goodnow

Consul-General

Consular Bureau

No. 2

Consulate-General of the United States,

Shanghai Sept. 24, 1897.

INDEX BUREAU
REC'D.
OCT. 25 1897
DEPT OF STATE

Mr. John Goodnow

Asst. Oct. 27

3rd. ASST. SECRETARY
OCT 26 1897

To the Department of State.

Mr. Fee
Authorizing purchase of new typewriting machine for Consulate
Subject: typewriting machine
Abstract of Contents.

Request for new typewriting machine for Shanghai Consulate.

No. 2

Consulate-General of the United States,

Shanghai Sept. 24, 1897.

Honorable Thomas R Cridler

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to represent to you that the typewriting machine now in this office is worn out and to request that a new machine be sent here from the State Department or that authority be given me to buy such machine here.

Such a machine is a necessity in this office.

I have the honor to be

Sir

Your obedient Servant

John Goodnow

Consul General.

Sept 24th, 1897

Mr Goodnow

To State Dept.

Subject.

Type writing machines

No. 3

Title

Consulate-General of the United States,

Shanghai - Sept 27, 1897.

INDEX BUREAU
REC'D.
OCT 25 1897
DEPT. OF STATE

Mr. John Goodnow

To the Department of State.

Subject:

Acknowledgement of Dispatch #121 and of U.S. Report.

Abstract of Contents.

Acknowledges Dispatch no 121 and Volume
no 167 U. S. Reports.

No. 3

Consulate-General of the United States,

Shanghai Sept 24, 1897.

Honorable Thos W. Cridler

Third Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of your despatch No 121 and volume No 167 of the United States Reports

I have the honor to be

Sir

Your obedient servant

John Goodnow

Consul General

DIPLOMATIC

NOV 15 1897

BUREAU.

No. 4

Consular Bureau

Consulate-General of the United States,

Shanghai Sept. 25, 1897.

Rec'd Oct 27

INDEX BUREAU REC'D. OCT 25 1897 DEPT OF STATE

Mr. John Goodnow

To the Department of State.

APPOINTMENT CLERK, OCT 27 1897 Department of State.

3rd. ASST. SECRETARY OCT 26 1897

Subject:

Vice-Consul

Acted Nov. 16

Approved Adler

Abstract of Contents.

Resignation of I.E. Amy as Vice Consul-General

Recommendation for appointment of E.T. Williams as Vice Consul General

One enclosure.

No. 4

Consulate-General of the United States,

Shanghai Sept. 25, 1897.

Honorable Wm R. Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit herewith the resignation of J. E. Avery as Vice Consul-General at this Consulate-General. I would respectfully nominate and ask the appointment of Mr. E. J. Williams as Vice Consul-General. Mr. Williams is Interpreter at this Consulate-General; is a native born citizen of the United States; has been for many years in China and is of the highest standing here among both Chinese and foreigners. As Interpreter Mr. Williams is assessor in the Mixed Court and it will add to his standing and influence as representing the United States. Should you appoint him Vice-Consul-General; He is of sufficient years, (43-years of age.) and experience that I would feel assured that the business of this Consulate-General would be properly managed during any temporary absence on

on my part.

I have the honor to be,

Sir,

Your obedient servant,

John Goodnow

Consul-General.

One enclosure as named.

CONSULATE GENERAL OF THE UNITED STATES,

Shanghai, China, 23rd September, 1897.

Sir,

I have the honor to tender to you my resignation as Vice Consul General for the United States, at Shanghai, China.

I am, Sir,

Your obedient servant,

E. C. Alvey

John Goodnow, Esquire,

U.S. Consul General,

Shanghai, China.

Respectfully forwarded to the Honorable Secretary of State with the request that it be accepted

John Goodnow
Consul General

September 23d 1897.

CONSULATE GENERAL TO THE UNITED STATES.

Shanghai, China, 25th September, 1931.

Sir,

I have the honour to request you will be so kind as to forward to me at your earliest convenience a Consular Certificate for the accompanying Commercial Invoice.

I am, Sir,

Your obedient servant,

[illegible]

H.B.M. Consul General,

Shanghai, China.

John Goodwin Esquire,

[illegible]

Consular Bureau

No. 5

Consulate-General of the United States,

Shanghai, October 2d, 1897.

INDEX BUREAU REC'D. NOV 5 '97 DEPT OF STATE

Mr. John Goodnow

To the Department of State.

REC'D. ASST. SECRETARY NOV 6 1897

ack. by form & apply to Comp. of Currency.

Subject:

Letter of Comptroller Eckels Nov. 12. forwarded by Department of State Aug 21st 1897

Abstract of Contents.

Explanation of abov

Copy to Mr Eckels with Dept's letter dec 9 1897.

Eckels file

Oslo

No. 5

Consulate-General of the United States,

October 2d, 1891.

Honorable W R Day

Assistant Secretary of State,

Washington, D. C.

Sir:

In response to letter of Comptroller Coles dated August 9th 1897 and forwarded by you August 21st I would say - I that on April 29th (before I was appointed to this Consulate-General) I made an assignment of my individual and of the firm of Goodnow & Lowther of which I was a member. - II that I turned over to the Receiver everything I had in the world so completely that I was forced to borrow the money of my personal friends to come to this post. - III that that property is still in process of settlement. - IV that among others I was indebted to the Columbia Nat'l Bank, partly for money borrowed long before and partly for stock which I held at the request of the President of that Bank and which he guaranteed to take off my hands whenever he might desire. (said President Kittleson is now insolvent); V that I was constantly in my office or on the streets of Minneapolis between July 28th and Aug. 1st and saw and spoke to both the Attorney and Sheriff Phillips during that time -

I have now been in charge here since Sept. 20th. I consider my first duty as I receive salary is, after the maintenance of my family, to the gentleman who have loaned me money to come here. After that, as I am able to save money it will not be paid and should not be paid to one creditor in preference to another. It is an impossibility for me to pay the amount due the Columbia Nat'l Bank or any part of it at the present time.

In regard to the Atwater Le Las, by incorporating in an official letter the false statement of a partisan newspaper, justified the position taken by me before and at the time of his appointment; namely — that he is unfit by temperament and ability for any position involving discretion and impartiality judgment.

I have the honor to be

Sir

Your obedient servant

John Goodnow

The Solicitor

No. 6

Consulate-General of the United States,

Shanghai October 2d, 1897.

Ans. Nov. 11. 97.

INDEX BUREAU
REC'D.
NOV 5 '97
DEPT. OF STATE

Mr. John Goodnow

To the Department of State.

3rd. ASST. SECRETARY
NOV 6 1897

Subject:

Naturalization of Julius Wolff

Abstract of Contents.

Con

No. 6

Consulate-General of the United States,

Shanghai October 2d, 1897.

Honorable Wm R Day

Assistant Secretary of State,

Washington, D. C.

Sir:

Julius C Wolff has applied to me, in my judicial function, for naturalization and registration at this Consulate-general.

Mr Wolff was born in Germany. He served in the U.S. Omaha from June 8th 1889 to June 5th 1891. He thereafter served continuously from June 30 1891 to Sept. 15 1897 when he received an Honorable Discharge from the U.S.S. Yorktown then in this station. He is able to obtain employment in the Customs Service here provided he is registered at some Consulate. His long absence from Germany prevents German registration.

I desire to ask

1. Can I, acting judicially, being Judge of a U.S. Court of record having a clerk and a seal, issue to Julius C Wolff above named, upon proper presentation of proof of service and good moral character, as provided by law, a

certificate of citizenship admitting him to full citizenship?

II. If above is answered in the negative, can Wolff send properly certified papers to the Court in San Francisco and be admitted to citizenship without personal appearance there?

III. If both above are negatived, can I register him here as under the jurisdiction ~~of~~ protection of the United States until such time as he may have the means and opportunity to go to the United States and complete his citizenship?

I would respectfully suggest that this case will form a precedent for several cases here of men now in the Navy at this Station who have served faithfully more than five consecutive years and also of men who have served the required time and have been honorably discharged here and who have not the means to go to the United States and back to their employment in this city but who are worthy of and may deserve of United States citizenship and who have proved their worth by long and faithful service for our Country. It is evidently the intention of Congress to make citizenship easy for those who have earned it by service in the United States Navy. I have the honor to be, Sir

Your Most Obedient Servant — John Goodwin
Consul General

Consular Bureau

No. 7

Consulate-General of the United States,

INDEX BUREAU
REC'D.
NOV 5 '97
DEPT. OF STATE

Shanghai, Oct 2" , 1897.

Mr. John Goodnow

To the Department of State.

2nd. ASST. SECRETARY
NOV 6 1897

Subject:

State department passport.

Ans. Nov. 10.

Abstract of Contents.

Request for passport for G. T. Sterling.

Acknowledges receipt of despatch No. 6 of Sept. 10 and incloses herewith application for passport for G. T. Sterling, and states that the fee for the same has been remitted to the Department.

No. 7

Consulate-General of the United States,

Shanghai, Oct 2, 1897.

Honorable William R. Day.

Assistant Secretary of State,

Washington, D. C.

Sir:

Mr Georges Isaac Sterling, a citizen of the United States, desires a State Department passport. He was naturalized in Philadelphia in 1877 and is in possession of his naturalization papers. He also appears on the register of this Consulate as a citizen of the United States.

I have the honor to be

Sir

Your Obedient Servant

John Goodnow

No. 8

Mr. Adee
Mr. Brannagan
Sent

Consulate-General of the United States,

Shanghai Oct. 7d, 1897.

INDEX BUREAU
REC'D.
NOV 5 '97
DEPT. OF STATE

Mr. John Goodnow

To the Department of State.

U.S. ASST. SECRETARY
NOV 6 1897

Subject:

Revised Statutes

Send

Abstract of Contents.

No. 8

Consulate-General of the United States,

Shanghai Oct. 2d, 1897.

Honorable Wm R Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to represent that I find the copy in this office of the Revised Statutes was printed in 1875 and that many paragraphs have been cut out and are now missing. The supplement printed in 1891 is in somewhat better condition but some paragraphs has been cut out of it.

Under these circumstances I would respectfully request that a copy of the latest edition of the Revised ~~Statutes~~ Statutes of the United States be sent to this Consulate-General.

I have the honor to be

Sir.

Your obedient servant

John Goodnow

Consul General

Enclosures

Circular Bureau

No. 9.

Consulate-General of the United States,

Shanghai Oct. 5, 1897.

To Auditor Nov 15 Acctg Dept

INDEX BUREAU
REC'D.
NOV 12 '97
DEPT. OF STATE

Mr. John Goodnow

To Audit Feb 19 '98 Acctg Dept

To the Department of State.

3rd. ASST. SECRETARY
NOV 12 1897

Subject:

Record unofficial fees O. N. Denny, former Consul General —

Abstract of Contents.

No. 9

Consulate-General of the United States,

Shanghai Oct. 5, 1897.

Honorable Hon. W. Cridler

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to report in reply to your letter No 5 of Aug 21st. 1897 —

"That I have caused diligent search to be made through all the books and records of this Consulate-general which are to be found in these offices —

"That I do not find any record showing in detail or in total the unofficial and notarial fees collected during the incumbency of O. N. Denny formerly Consul-General at this Port —

I have the honor to be

Sir

Your Obedient Servant

John Goodnow

Consul General

No. 10

file

Consulate-General, U. S. A.,

Shanghai Oct. 5 1897.

INDEX BUREAU
REC'D.
NOV 12 '97
DEPT. OF STATE

Mr. Goodnow

To the Department of State.

Subject:

Transfer of Office from J. R. Jernigan to John Goodnow

Abstract of Contents.

No. 10

Consulate-General, U. S. A.,

Shanghai Oct. 5, 1897.

Honorable Wm R Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit you herewith

I Inventory as provided in Arts 57-59 Consular Regulations.

II Joint certificate of outgoing and incoming Consuls-General (Form No 5) as provided in Art. 57. C.R.

III Joint certificate of outgoing and incoming Consuls-General to the Auditor for the State and other Departments (Form No 5) as required by Article 58 Consular Regulations.

I have the honor to be

Sir

Your obedient Servant

John Goodnow

Consul-General

3 enclosures

Form No 5

CONSULATE-GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, September 20th 189 7

We certify, on this the 20th day of September 1897 the services of Thomas R. Jernigan ceased and he is entitled to his salary including said day; and that the services of John Goodnow commenced the day following, he having received the archives, a full and complete inventory of which is hereto annexed, as required by Paragraph 57 of the Consular Regulations

John Goodnow U.S. Consul-General

T. R. Jernigan late U.S. Consul-General

To the Assistant Secy of State.

Form No 5

CONSULATE-GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, September 20 1897.

We certify, on this the 20th day of September 1897 the services of Thos R. Jernigan ceased and he is entitled to his salary and fees including said day; and that the services of John Goodnow commenced the day following. He having received the archives as required by paragraph 57 of the Consular Regulations

John Goodnow U.S. Consul-General

W. Jernigan late U.S. Consul-General

to the Auditor
for the State ~~or Other Departments~~.

List of books in the Consulate-General at Shanghai belonging to the Government.

Encyclopædia Americana
Edition of 1856 - 14 Vols.
Hammersly's Naval Encyclopædia.
Edition of 1881. - 1 Vol.
Webster's Dictionary.
Williams Chinese Dictionary
Annals of Congress.
North China Herald from 1870 to date.

American Decisions 1-100. 100 vols
" " Digest 5 "
Johnson's Chancery Reports 7 "
U. S. Courts 9th Circuit in 14 "
1870-1877 - Lawyer.
Deady's Reports.
English Reports.

Decisions

Decisions of the Supreme Court.

Curtiss 1-22
Dallas 1-4
Cranch 1-9
Wheaton 1-12
Peters 1-16
Howard 1-17
" 18-24
Black 1-2
Wallace 1-4
" 5-23 } included in
Otto 1-17 } reports named below
Vols. 72-166. except Vol 36. which was not received.

Opinions of the Attorney General

Volumes 1-9
" 11
" 13-16 - 2 digests.

Duplicate copies of Vols 14. 15 & 16 Revised Statutes, 1875. 2nd Ed.
U. S. Statutes at Large - 10 vols.
Gould & Tucker's Notes on Revised Statutes.

Sharps.

Sharp & Allemans Lawyers &
Bankers Directory.
Story's Equity Jurisprudence 11th
Edition. 2 vols.
Adams Equity 7th Am. Edition
1 vol
Bishop on Marriage & Divorce.
6th Edition 2 vols.
Bishop on Criminal Law. 5th
Edition 2 vols.
Williams on Executors, with
American notes by S. L. Perkins.
3 vols.
Redfield on Wills 3 "
Wharton on Conflict of Laws.
1 vol
Cooley's Constitutional Limita-
tions, 5th Edition 1 vol.
Commentaries on Am Law
Wharton. 1 vol
Citizenship by birth & natura-
lization, by H. Porter Morse 1 vol.
Morse on Extradition 2 "
Drake on Attachment. 7th.
Edition

Edition 2 vols
Parsons on Contracts, 7th Edition
3 vols
Kent's Commentaries, 13th Edition
4 vols
Cooley's Blackstone, 3rd Edition
2 vols
Smith Leading Cases, 8th Edition
4 vols
Wharton's International Law Digest
4 vols
Chitty on Contracts, 9th Edition
1 vol
Story on Contracts, 4th Edition
2 vols
Russell on Crimes, 7th Am. Ed
2 vols
Wharton's Criminal Law, 9th Ed
2 vols
Wharton's Law of Evidence 3rd Ed
2 vols
Greenleaf on Evidence, 7th Ed
3 vols
Manual of International Law

Fergusson

Fergusson (local publication)
2 vols
Wheaton's Elements of International
Law 6th Edition 2 vols
Kinney's Digest. 2 "
Waits Actions & Defences. 7 "
& index.
Archbold's Criminal Practice,
with J. N. Pomeroy's notes 2 vols
Cotes Pleadings. Pomeroy 3rd Ed.
3 vols
Daniel on Negociable Instruments,
3rd Edition 2 vols
Story on the Constitution 3 "
" " Agency 6th Ed. 1 "
Bouviers Law Dictionary 2 "
8 vols of California Codes
Conkling's Admiralty. 2nd Edition
2 vols
Conklins Treatise 5th Ed. 1 "
Benedict's Admiralty 2nd Ed. 1 "
Parsons on Maritime Law 2 "
3 vols of Brightlys Digest
Commercial Digest 3 vols

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Prize Cases, New York 1861-1865
1 vol
Laws of U. S. Navy, 1775-1859
1 vol
Gould's Pleadings 1 .
Paley's Law of Principal & Agent
1 vol
1867 Bankrupt Law, Edwin James
1 vol
U. S. Revenue Laws 1 .
Jacobsen's Sea Laws 1 .
Laws of Shipping, Dixon 1 .
Abbott on Shipping 1 .
The Constitution of England,
Deholme, 1784. 1 vol
Westketts Insurance, 1794. 1 .
Forms - Bancroft - 4 .
New Clerks Assistant. 1 .
Jones Conveyancing. 1 .
34 vols Foreign Correspondence
5 . Public Documents.
N. C. Herald 1894 2 vols
. . 1895 2 .
. . 1896 2 .

North

24	Vols	Government Reports
133	"	Diplomatic Correspondence Foreign Relations
34	"	Commercial Relations
	"	Municipal Reports
	"	Suttalls Standard Dictionary #
	"	Hubbles U.S. Law on Aliens
	"	Budget + News Letter
	"	China Compulsory Enlistment
	"	Heyls U.S. Import dues
	"	Celestial Empire
	"	Pearl of Asia +
	"	List of Merchant vessels
	"	Official Register of U.S.
	"	Woolsey International Law ×
	"	Messages and Papers of Presidents

North China Herald 1897. 1 vol

Furniture &c. in Consul General's office

3 book cases, - in good order.
2 cupboards, - . . .
1 book rack, old and broken.
1 desk, ink-stand &c. in good order.
3 leather covered chairs, old.
2 Chinese made stands, .
1 wooden chair, good.
1 revolving . old.
1 seat, 1 date stamp.
1 hat rack, old and broken.
1 office chair.
1. revolving book case
2 wall . .
1 coir matting in attic.

Furniture

Furniture &c. in the Marshal's office.

3 desks in fair order.
3 chairs.
1 letter copy Press. old.
1 small Safe "
1 Court Record case.
1 Stationery cupboard, Chinese made, old.
2 sets of pigeon-holes.

Furniture &c in Court Room.

1 large wooden platform.
1 witness stand.
1 prisoner's stand 6 tables.
2 Chinese tables. 15 chairs
5 cane chairs.
1 large chair.
1 long desk,

2 small

2 small desks.
3 Lucies matting.
2 curtains.
1 coat of arms
1 gas chandelier.

Furniture &c. in the Deputy Consul General's room.

2 safes.
3 desks.
3 chairs
2 gas fixtures
1 counter.
1 letter copy press.
1 wax seal.
1 dry seal.
1 date stamp.

Furniture &c in Interpreter room.

2 desks.

2 desks, old.
4 chairs.
1 Wilder safe, old back broken.
1 Miller " received in 1889
1 glass doored case.
1 book rack, old.
1 table.
1 letter-copy press. ink stands &c.
2 sets of pidgeon holes.

Furniture &c. in Chinese Writer's Room.

---

1 desk, old.
1 table.
1 chair.
4 Chinese chairs.
2 tea pots. old & broken.

Furniture &c in Comprador Room.

---

one

1 old desk.

Miscellaneous.

2 sedan chairs.
1 coat of arms.
2 pennants
4 flags
2 mail flags.
2 eagles in halls
2 book cases for Records.
1 flag staff.
1 remington type-writer.

Furniture &c. in the Jail.

1 cooking stove.
2 meat safes.
1 table.
1 axe.
1 clock.

2 mats.
1 table.
2 wooden forms
2 stoves & fixing
1 desk.
1 chair.
1 stove
1 book case & about 100 vols.
1 clock.
9 pr. hand irons.
3 . leg irons.
6 beds.
6 mattresses
18 blankets.
6 pillows.
2 wooden chow boxes.

Furniture &c in the Post Office

---

1 safe.
2 tables.
2 stamps

two.

United States Consulate General
Shanghai, Sept. 1897

We certify, on this
day of September. 1897.
the services of Thomas W.
Jernigan ceased and he is en-
titled to his salary including
said day, and that the services
of John Goodnow commenced
the day following, he having
received the archives, a full
and complete inventory of
which is hereto annexed, as re-
quired by the Consular Regulations.

W. Jernigan
Consul General.

John Goodnow.
Consul General.

Accept the record.
John Goodnow
Consul General.

2 mail boxes for drop letters.
2 sorting cases.
3 gas fixtures.
3 sets seals
1 scale. Howes
1 pr. Argand burners.

Also Archives received from Ningpo Consulate, except two boxes. stationery sent to Consul Chefoo.

No. 241

RECEIVED. NOV 13 1897 BUR. ACCOUNTS. DEP. OF STATE.

INDEX BUREAU REC'D. NOV 12 '97 DEPT. OF STATE

Consulate-General of the United States,

Shanghai Oct 7, 1897.

Mr. J. R. Jernigan

To the Department of State.

File

Subject:

Transmitting returns and accounts for fraction of Quarter - from July 1st to Sept 20th

Abstract of Contents.

No. 241

Consulate-General of the United States,

Shanghai 7th October, 1897.

Honorable William R. Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit herewith returns and accounts for fraction of quarter, from July 1st. to September 20th, and also beg to advise my draft on the Secretary of State ℄ 15 dft., in favor of myself for the balances due me for Contingent expenses and Jail expenses for the period of time herein mentioned, the drafts calling for $408.17/100 and $194.57/100 respectively.

I have the honor to be,

Sir,

Your obedient servant

W. Jerrigan

Consul General

Enclosures

1. Return of Returns service
2. Contingent expenses
3. Clerk hire
4. Interpreters account
5. Marshal's do 6 Sept. 7
6. do do - " 20
7. Jail Expenses.

Consular Bureau

No. 11

Consulate-General of the United States,

INDEX BUREAU
REC'D.
NOV 12 '97
DEPT. OF STATE

Shanghai, Oct. 9, 1897.

Ack. by form & Cy to Treas. Nov. 17.

Mr. Gardner

To the Department of State.

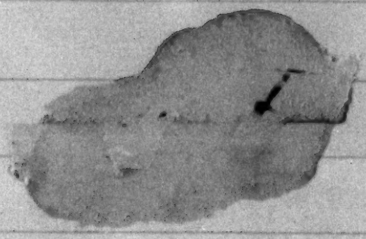
3rd. ASST. SECRETARY
NOV 15 1897

Subject:

Rate of Exchange Ans. Nov. 27

Abstract of Contents.

Recd notice from Admiral McNair Oct. 8th of U.S. rate for quarter beginning Oct 1st 1897.



No. 11

Consulate-General of the United States,

Shanghai October 9th, 1897.

Honorable Wm R Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to state that I received on the Eighth (8) of October after the close of office hours a circular from F V McNair, Rear Admiral, announcing by the authority of the Secretary of the Navy the value of the Mexican Dollar for the quarter ending Dec 31st 1897 at $0.446. We had received from Oct. 1st (the beginning of the Quarter) gold $275= equalling at $0.482, the last rate we had received, $570.54 Mexican. Had we known the Government rate established for the present quarter we would have received $616.59 Mexican. making a loss to the U.S. Government at this office alone of $46.05 Mexican.

As the present steady decline of silver and under the fact that all businesses here make their payments in Mexican dollars, I would suggest and respectfully request that this office be notified by cable direct

from the Department of State when the rate is established for the a new quarter -

I have the honor to be
Sir
Your obedient servant
John Goodnow
Consul-General

No. 12

CONSULAR BUREAU
NOTED AND FILED

Consulate-General of the United States,

Shanghai Oct 17, 1897.

INDEX BUREAU
REC'D.
NOV 12 '97
DEPT. OF STATE

Mr. John Goodnow

To the Department of State.

Subject:

Death of E. J. de Colombo.

Abstract of Contents.

No. 72

Consulate-General of the United States,

Shanghai Oct 12th, 1897.

Honorable Wm R Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to inform you that Elizabeth Jane de Colombo, an American citizen, died Oct 11th 1897 at the General Hospital in this City of Typhoid fever.

She came here from Saw Francisco.

I have caused notice of her death to be published in the Shanghai Daily Press and have taken possession of her personal effects.

I have the honor to be

Sir

Your obedient servant

John Goodnow

Consul General

CONSULAR BUREAU.
NOTED.

No. 13

Consulate-General of the United States,

Shanghai October 12, 1897.

INDEX BUREAU
REC'D.
NOV 12 '97
DEPT. OF STATE

Mr. Goodnow

To the Department of State.

Subject:

Inclosing marriage certificate

Abstract of Contents.

No. 19

Consulate-General of the United States,

Shanghai, Oct 12th, 1897.

Honorable William R. Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit herewith the marriage certificate of Harry Houston and Harriet Elizabeth Fuller.

I have the honor to be Sir.

Your obedient servant

John Goodnow

Consul-General

One enclosure.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA, Sept 22nd 1897

I, John Goodnow CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, *do hereby certify that on this* 22nd *day of* September *A.D.* 1897, *at* the Consulate-General of U. S. *in* SHANGHAI Harry Houston *aged* 22 *years, born in* San Francisco, Cal, U.S.A. *and now residing in* Shanghai *and* Harriet Elizabeth Fuller *aged* 35 *years born in* London, Eng *and now residing in* Shanghai, China *were united in marriage before me, and in my presence, by* E. T. Williams *who is authorized by the laws of* the State of Ohio *to perform such a ceremony.*

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI *this* 22nd *day of* September, *A.D.* 1897, *and of the* INDEPENDENCE OF THE UNITED STATES *the* 122nd

John Goodnow

U. S. Consul General.

CONSULATE GENERAL OF THE UNITED STATES OF

SHANGHAI, CHINA.

No. 14

Tel. cir. re White. Nov 13 Answ'd 15

Consulate-General of the United States,

Shanghai Oct 12th, 1897.

INDEX BUREAU REC'D NOV 12 '97 DEPT. OF STATE

Bond to Asst Com'r Dip. Bur 26 July 1898

Mr. John Goodnow

To the Department of State.

APPOINTMENT CLERK, NOV 13 1897 Department of State.

approved Alger

To Legation Peking July 27.

U.S. ASST. SECRETARY NOV 13 1897

Subject:

Subordinate Officers at Shanghai

Abstract of Contents.

Renominates E. T. Williams as Interpreter

" Gen. A. Darby " Jailer

" Wong Soong Dong " Comprador

" George Ah Kwin " Messenger

" Shü Lin-fuh " Chinese Writer

Nominates Arthur H. White " Deputy Consul-General and shipping clerk -

No. 14

Consulate-General of the United States,

Shanghai Oct. 12, 1897.

Honorable Hon W Cridler

Assistant Secretary of State,

Washington, D. C.

Sir:

In response to yrs No 9 dated July 23rd 1897 to me and as directed in Paragraph of the Consular Regulations, I hereby, after careful and, I think, thorough study of the conditions, duties, and working force of this Consulate-General would respectfully recommend and ask

I the retention of C. J. Williams as Interpreter. I have already in my dispatch No 4 of Sept. 23rd 1897 recommended the appointment of Mr Williams as Vice Consul-General. I enclose herewith his bond -

II the retention of George A Derby as Jailor

III the retention of Wong Soong Dong as Compradore

IV the retention of George Ah Kwin as Messenger

V the retention of Shüe Lin-fah as Chinese writer for the present -

VI the appointment of Arthur H. White as Deputy Consul-General and shipping clerk. Mr White was born in Hudson, New York, January 2d 1873 and for

several years. Has been a book Keeper and accountant. He has a good common-school education and is a neat and accurate book Keeper and penman. My dispatch No 4 is in his handwriting. He has worked for me in the United States and I know him to be of the polite and obliging disposition which will enable him to do the work of the shipping office without that constant friction with people doing business there which has been a marked feature of the administration of that office since I have been here. After careful consideration and for the good of the service I asked the resignation of Mr. R. T. Eastlack on Sept. 7th. He did not resign but expressed a "desire to hand over my post to my successor today". I therefore authorized Mr White to take over the work of the shipping office on the 8th and he has since that time done the work to my entire satisfaction. I desire his appointment and guarantee his fitness to you.

As I am at present without Vice or Deputy Consul-General and am forced to sign all papers myself, I am very anxious that Mr Williams and Mr White be Commissioned at your earliest convenience. Such action on your part will greatly facilitate the work of this office.

I have the honor to be, Sir
Your obedient Servant
John Gordan
Consul-General

No. 15

Act Vol 27

Consulate-General of the United States,

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NOV 23 '97
DEPT. OF STATE

Shanghai, Oct 20, 1897.

Mr. Gardner

To the Department of State.

Subject:

Registration of Date Stamps

Abstract of Contents.

John woodward

Consulate-General of the United States,

Shanghai Oct 20: , 1897.

Honorable William R. Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to request three (3) new date stamps for the ensuing year. Those now in possession of this Consulate-General run out and hence useless at the end of the current year.

I have the honor to be Sir

Your obedient servant.

John Goodnow

Consul-General.

Consular Bureau

No. 16

Consulate-General, U. S. A.,

Shanghai Oct 16 1897.

INDEX BUREAU
REC'D.
NOV 23 '97
DEPT. OF STATE

Hon. Wm R Day

To the Department of State.

3rd. ASST. SECRETARY
NOV 24 1897

Subject: Pilot Charts of the North Pacific Ocean.

Ack by pm copy to Navy. Nov. 27.

ans. Dec. 14-97.

Abstract of Contents.

No. 16

Consulate-General, U. S. A.,

Shanghai Oct. 16, 1897.

Honorable Wm R Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to request that the Hydrographic Bureau send this office twelve (12) pilot charts of the North Pacific Ocean of each issue. That number is asked for by the ships and the shipping offices.

I have the honor to be

Sir

Your obedient Servant

John Goodnow

Consul General.

17

Note other

CONSULAR BUREAU.
NOTED AND PUBLISHED.
See No. 24. Oct. 29. 97

No. 17

Consulate-General of the United States,

Shanghai Oct 21, 1897.

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REC'D.
NOV 23 '97
DEPT. OF STATE

Mr. John Goodnow

To the Department of State.

Subject:

Deaths of Citizens of the United States.

Abstract of Contents.

Donald G McIntosh - Master St Catherine

Wm Ostwin . late of Indiana

Margaret S Clapp. " " ~~Indiana~~ California

One enclosure

No. 17

Consulate-General of the United States,

Shanghai Oct 21, 1897.

Honorable Wm R Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to report to you the deaths in Shanghai of the following citizens of the United States

I October 13th - Donald G McIntosh of Massachusetts, Captain of the sailing vessel St Katharine owned by Flint and Co. New York City - Capt. McIntosh was accompanied by his wife who has taken charge of his personal effects and arrears of wages and who with her two children will go home on the Rio de Janeiro sailing Oct 23rd 1897

II October 14th Wm Catwin long a resident of Shanghai; originally from Indiana - There is widow and 3 children all provided for by will.

III January 28th 1897. Margaret S Clapp. formerly of San Francisco. This came to my notice through the filing of claims for debt against Mrs Clapp. I am endeavoring to obtain possession of the personal effects which are now in the hands of her principal creditor. I understand a will has been filed in San Francisco disposing of the considerable property of the deceased in California. I have forwarded to the Public Administrator in

DELETION

NOT PUBLISHED.

San Francisco a list of the debts here and also a notice that there are an unknown amount of personal effects here which I hope to get for the benefit of Creditors –

I have the honor to be, Sir.

Your obedient Servant

John Goodwin

Lieut Colonel

INDEX BUREAU
REC'D.
NOV 23 '97
DEPT. OF STATE

5 CONSULAR BUREAU.
NOTED.

No. 18

Consulate-General of the United States,

Shanghai Oct 1st, 1897.

Mr. John Goodnow Ack. Nov. 26.

To the Department of State.

Subject:

Inventory of personal effects of Elsie de Colombs

Abstract of Contents.

No. 18

Consulate-General of the United States,

Shanghai Oct 27th, 1897.

Honorable Wm R Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to hand you herewith inventory and estimated value of the effects of Elsie de Colombo which are now in the possession of this Consulate General —

I have the honor to be, Sir

Your obedient Servant

John Goodnow

Consul General

One enclosure

CONSULATE-GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, Oct. 21 1897

Inventory of the Effects of Elsie de Colombo

1 Corduroy Ulster	appraised value	1.00 U.S.Gold.
6 Silk Dresses		25.00
1 Dress		2.00
1 Silk Dress Skirt		1.00
2 Dress Skirts		.50
3 Silk Dress Bodies		1.50
4 Silk Chemises		2.00
6 Chemises		.60
3 Silk Kimonos		2.00
1 Silk Obi		6.00
1 Fur Lined Opera Cloak		7.50
1 Plush Wrapper		.50
3 Silk do.		1.50
1 do		.25
1 Seal Muff		.50
4 Silk Nightdresses		1.00
1 Muslin do		.10
1 Feather Boa		1.00
		50.95

CONSULATE-GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 189

	50.95
10 Pair Silk Drawers	1.50
9 Pr Linen do	.50
5 Silk Undershirts	1.25
5 do	.50
5 Silk Undershirts	.75
1 Woolen do	.15
7 Towels	.25
1 Silk Shawl	5.00
1 do	.20
1 Silk Umbrella	.50
1 Silk Japanese Parasol	.25
1 Umbrella Frame + 1 Crop.	.50
1 Fan in Case	1.50
1 Ostrich Fan	.25
4 Fans	.20
1 Silver Tea Service	5.00
2 Albums of Views	1.50
1 Dressing Case	1.00
1 Bdl. Fans + 2 Large Pieces Fan	3.00
2 Lacquer Boxes + Beads	.25
24 Books	1.50
1 Carriage Watch (Broken)	
	76.50

6

CONSULATE-GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 189

	76 50
1 Fur Lined Coat	1.50
1 Fancy (Macg.) 1 Suit. Red.	1.00
2 Flannel Jackets	.20
2 Bdls. Pieces of Silk + 2 Jerseys	.50
1 Silk Table Cover + 3 Silk Cushion Covers	2.00
1 Piece Lawn	.25
1 Pr White Shoes. 1 Pr Shoes. 1 Pr Slippers	.40
23 Silk Handkerchiefs + 1 Pr Cloth Gaiters	.75
3 Hats, Trimmed + 1 Hat Untrimmed	1.00
2 Baskets of Scraps.	
3 White Flannel Jackets	.50
1 Fur Lined Rug	1.50
1 Fur Trimmed Jacket	2.50
2 Bath Gowns	.50
10 Pieces of Cloth (Ulsters)	.25
1 Bdl. Pieces of Muslin &c. + 1 Corset.	
20 Pieces Black Lace in Bdl.	2.50
1 Ivory Card Case	.50
61 Pieces White Lace in Bdl.	2.50
2 Lace Veils (torn) + 2 Pieces Passamenterie	
1 Bdl. Scraps.	
12 Pair Silk Stockings 1 Pr Woolen do.	1.00
	95.35

CONSULATE-GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 189

	95.35
1 Clothes Bag	.50
2 Boxes	1.00
2 Brush Backs	2.00
1 Travelling Toilet Bag	2.50
3 Pair Curling Irons	.40
2 Pair Opera Glasses 5.00 + 2.50	7.50
1 Atomizer (Broken) 2 Pr Kid Gloves.	
1 Silver Box. 1 Silver Shoe Pin Cushion.	.50
	109.75

CONSULATE-GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA. 189

	109.75
1 Small Hand Bag & Strap	1.50
1 Pocket Book	.10
4 Diamonds & One Ruby. 20.= 20.= 20.= 20.= .50	90.50
1 Gold Chain 5.00 & 1 Gold Watch 10.00	15.00
1 Japanese Gold Fan	1.00
1 Pr. Gold Buckles	5.00
2 Silver Belts	2.00
1 Silver Salt Bottle. 1 Black Band Ring	.50
1 Pr Gold Links & 4 Gold Studs.	5.00
1 Gold Monogram Pin 3.00 1 Gold Pin 3.00 (Chinese Characters)	6.00
1 Diamond Ring 15.00 3 Plain Gold Rings 5.00	20.00
1 Diamond & Cats Eye, Ring.	10.00
Cash	1.25
1 Broken Pin & Swivel	1.00
Old Gold Scraps.	.50
1 Moonstone	.50
	269.60

We hereby certify that the above inventory is correct and the estimated value is to the best of our knowledge & belief - Oct. 21st 1897.

A. W. Bash

John Goodnow
U.S. Consul General

R. P. Howard

Consular Bureau

No. 19

Consulate-General of the United States,

Shanghai Oct. 27, 1897.

Mr. John Goodnow

To the Department of State.

3rd. ASST. SECRETARY.
NOV 24 1897

Subject:

Form No 18

Abstract of Contents.

Report
Ans. Dec. 29. 97.

No. 19

Consulate-General of the United States,

Shanghai Oct. 22, 1897.

Honorable Wm R Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have had the honor to receive blanks "Certificate of Discharge of Seaman" Form No 18.

I would respectfully represent that at this port seamen are ordinarily discharged only when guaranteed for six months that they will not come on the U.S. authorities for relief and also when the prospect is good for reshipment speedily. Sometimes a seaman so guaranteed goes away from this Port and applies to some other U.S. Consulate for relief and exhibits a regular certificate of discharge and gets relief as a destitute seaman.

I would respectfully suggest that we be allowed to stamp on Form No 18 "Relief guaranteed only in Shanghai" except when in specific cases it might be deemed advisable for particular reasons to allow

some seaman to go to another port -

I have the honor to be, Sir,

Your Obedient Servant

John Gordon

Consul General

Consular Bureau
Oct —

No. 20

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NOV 23 '97
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Consulate-General of the United States,

Shanghai Oct. 27, 1897.

Tel. Nov. 24
Confid. 26

Mr. John Goodnow

To the Department of State.

2d. ASST. SECRETARY
NOV 23 1897

Subject:

Tel. Nov 13 - Appt. while Con. Gen. Uhler
13, 15 Copies above; Con. Gen Uhler
leave Oct 27 & approve Recommendations
Embodiment Approved —

Abstract of Contents.

No. 20

Consulate-General of the United States,

Shanghai Oct. 22, 1897.

Honorable Wm R. Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I would respectfully ask leave for sufficient time to go to Yokohama and return, about 15 days, early in December.

I would also respectfully request that you wire the appointments of E. T. Williams as Vice Consul-General and A. H. White as Deputy Consul General. The fact that I have no one to sign even the most unimportant paper is liable to confine me to the office to the neglect of outside work —

I have the honor to be, Sir,

Your Obedient Servant

John Goodnow

Consul General

No. 71

7th.

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REC'D.
DEC 4 '97
DEPT OF STATE

Consulate-General of the United States,

Shanghai Oct. 30, 1897.

Mr. Goodnow

To the Department of State.

Subject:

Acknowledging Circulars
Sept. 1st and Sept. 3d 1897

Abstract of Contents.

No. 21

Consulate-General of the United States,

Shanghai October 30, 1897.

Honorable Wm R Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of four circulars to consular officers bearing date Sept. 1st and Sept. 2d 1897.

I am, Sir

Your obedient Servant

John Goodnow

Consul General

No. 22

File

Consulate-General of the United States,

Shanghai, Oct 30th, 1897.

INDEX BUREAU
REC'D.
DEC 4 '97
DEPT OF STATE

Mr. Goodnow

To the Department of State.

Subject:

Acknowledgment of Circular and reports.

Abstract of Contents.

No. VV

Consulate-General of the United States,

Shanghai, Oct 30th, 1897.

Honorable William R. Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of your circular of August 16 - relating to the preparation of invoices. Also of the pamphlet of decisions under the Tariff. Immigration and Navigation Laws.

Also Vol 5 of the "Messages and Papers of the Presidents" and also the Year Book of the Dept of Agriculture -

I have the honor to be Sir.

Your obedient servant

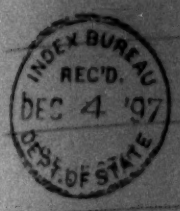
John Goodnow

Consul-General.

CONSULAR BUREAU.
NOTED.

No. 23

Consulate-General of the United States,



Shanghai, Oct. 30, 1897.

Mr. Goodnow

To the Department of State.

Subject:

Enclosing marriage certificate

Abstract of Contents.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA

SHANGHAI, CHINA, October 29 1897

I, John Goodnow CONSUL GENERAL OF THE UNITED STATES AT SHANGHAI, *do hereby certify that on this* 29 *day of* October *A.D. 18*97, *at* Trinity Cathedral *in* SHANGHAI George Joseph Marshall *aged* 29 *years, born in* Chicago Illinois, *and now residing in* Kau Chew China *and* Julia A Smith *aged* 29 *years born in* Rye Gate, Vermont *and now residing in* Kiu Kiang China *were united in marriage before me, and in my presence, by* Rev. H. C. Hodges *who is authorized by the laws of* England *to perform such a ceremony.*

In witness whereof I have hereunto subscribed my name and affixed the seal of the CONSULATE GENERAL AT SHANGHAI *this* 29th *day of* October, *A.D. 1897, and of the* INDEPENDENCE OF THE UNITED STATES *the* one hundred twenty second.

CONSULAR BUREAU. NOTED

John Goodnow

U. S. Consul General.

No.

No. 77

Consulate-General of the United States,

Shanghai, Oct. 30, 1897.

Honorable William R. Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to inclose herewith the marriage certificate of George Joseph Marshall and Julia A. Smith.

I have the honor to be Sir

Your obedient servant

John Goodnow

Consul-General

24

No. 24

CONSULAR BUREAU.
NOTED AND PUBLISHED.
See No 17. Oct 21. 97

Consulate-General of the United States,

Shanghai Oct. 29, 1897.

Mr. Goodnow

To the Department of State.

Subject:

Acke. by form. DEC. 14. 97.

Abstract of Contents.

Inventory of personal property of Margaret L. Clapp, deceased.

No. 24

Consulate-General of the United States,

Shanghai Oct. 29, 1897.

Honorable Wm R Day

Assistant Secretary of State,

Washington, D. C.

Sir: I have the honor to hand you herewith the inventory of the personal effects of Margaret S. Clapp, deceased -

I am,

Sir

Your most obedient Servant

John Goodnow

Consul General

Inc Enclosure

CONSULATE-GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, Oct 26th 1897

Effects of Margaret S Clapp deceased.

1 Chain. 1 Bead Chain. 2 Bracelets 6 Lace Pins. 3 Rings. 1 Locket. 1 Pendant Charm. 3 Pair Ear Rings.	.50
1 Seal Coat	1.50
1 Cloth do	1.00
1 Plush Cape	.50
1 Cloth do	.10
1 Cloth dress (ribbed)	.25
1 Red do	.25
1 Corduroy do.	1.00
1 Silk do	.50
1 Silk crepe do	.25
1 Silk do.	.25
5 Waists	.50
2 Silk waists	.25
5 White waists	.20
3 Dress Skirts	25
1 Blue Wrapper	25
1 Dark do	.25
1 Velvet do.	20
3 Bath Gowns & 2 Cloth Jackets.	.35

CONSULATE-GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA. 189

	7.90
4 Flannel Under Skirts	.15
2 Aprons	.05
10 Nightdresses	.50
1 Pair Drawers	.25
8 Chemises	.25
9 Underskirts	.50
4 Silk Belts	.05
1 Linen Belt	.05
10 Pr. Silk stockings	.25
1 Hat (Ostrich Plumes)	.25
2 Pr. Shoes	.25
2 Hats (Untrimmed)	.10
1 do (trimmed)	
4 Pr Silk Gloves	.10
1 Black lace veil	
1 Seal Purse	.10
1 Corset	.10
Two Trunks	2.00

We hereby certify that the above inventory 12.85
is correct & the estimated value is to the best of our
knowledge and belief Oct. 28 1897

John Goodnow
Consul General.

A. O. Bash

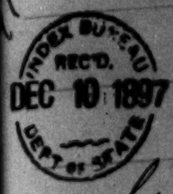
R. P. Howard

No. 25

File.

Consulate-General of the United States,

Shanghai Nov 4, 1897.



Mr. Goodnow

To the Department of State.

Subject:

Acknowledging Dept. letter No 7

Abstract of Contents.

No. 75

Consulate-General of the United States,

Shanghai Nov. 4, 1897.

Honorable Thos. W. Cridler

Assistant Secretary of State,

Washington, D. C.

Sir: I have the honor to acknowledge the receipt of your letter No 7 dated Sept. 15 1897. in relation to the manufacture of firecrackers.

I have written to the U.S. Consuls in China and on receipt of the desired information from them will render to you the report you direct.

I have the honor to be

Sir

Your obedient servant

John Goodnow

Consul General

Archives Dec. 20/97 Mr Chilton

No. 26

Consulate-General of the United States,

Shanghai November 10th, 1897.

INDEX BUREAU REC'D. DEC 15 '97 DEPT. OF STATE

3rd. ASST. SECRETARY DEC 15 1897

Mr. John Goodnow

To the Department of State.

REPORT FILED IN BUREAU OF FOREIGN COMMERCE FOR PUBLIC USE

Subject:

Employment of American Railway Operations in China.

Abstract of Contents.

ASR as covering Rec'r Nov 26 with interests

Sent to Bureau of Statistics Dec 20 to Mr Goodnow for publication

No. 27

CONSULAR BUREAU.
NOTED AND PUBLISHED.

Consulate-General of the United States,

Shanghai, Nov 12, 1897

Mr. [redacted]

To the Department of State.

Note: Publish
Copy to Mr. Hill
Ack

Subject:

Death of Capt. C. R. Mull.

Ack by tel Nov 20
C.A. Mull. Dec. 14-97

Abstract of Contents.

No. 77

Consulate-General of the United States,

Shanghai, Nov 12, 1897.

Honorable William R. Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to inform you of the death on November 10th, 1897, of Captain C. R. Nulle of the China Merchants Steam Navigation Co.

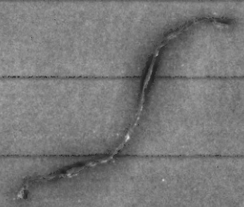
Captain Nulle was one of the oldest American residents in Shanghai. He has left by will the bulk of his property to his brother Emerson Andrew Nulle of Philadelphia, and has appointed Messrs R. W. Mustard and A. C. Bennett his executors.

I have the honor to be Sir

Your obedient servant

John Goodnow

Consul General



Solicitor.

No. 28

Consulate-General of the United States,

Shanghai Nov. 17, 1897.

INDEX BUREAU RECD. DEC 10 1897 DEPT. OF STATE

Mr. John Goodnow

To the Department of State.

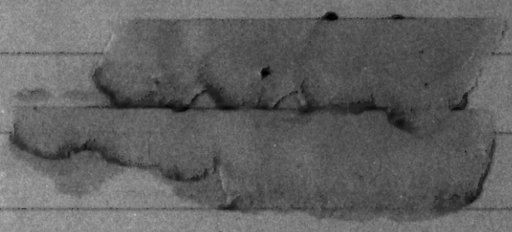
3rd. ASST. SECRETARY. DEC 11 1897

ack. by form Dec. 15.

Subject:

Case of Lawrence Morney vs American trading as Agents for the bark St Catherine

Abstract of Contents.



No. 78

Consulate-General of the United States,

Shanghai Nov 17, 1897

Honorable Wm R Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to report to you the case of Lawrence Mooney vs the American Trading Co as agents for the bark St Catherine owned by Flint & Co, New York,

I enclose you

I Copy of petition

II " " answer

III testimony in the case as printed.

IV Copy of judgment rendered.

V editorial comment in local paper —

I hope the decision meets your approval. The shipment of this seaman seemed to me from the evidence a gross violation of the rights of an American citizen.

I have the honor to be, Sir,

Your obedient servant

John Goodnow

Consul General

Copy

In the United States Court for the
Consular District of Shanghai, China.

Shanghai, Nov. 8th 1897.

Laurence Money Plaintiff.

Vs.

American Trading Co. Agent for
Bark "St. Catherine". Defendant.

To John Goodnow Esq.
Consul General
Judge.

The Petition of the abovenamed Plaintiff shows,

1st. That he is a native born citizen of the United States of America and the Defendent is an American corporation and Agent for Bark St. Catherine and within the jurisdiction of the Court.

That the said Plaintiff was put on board said Bark St. Catherine at Victoria B. C. July 12th 1897 and taken to sea from that Port July 14th 1897. without his consent and against his protest and without his having been signed or his signature attested in the manner provided by law.

That advance money is wrong-
fully

fully charged as paid out for him and an improperly low rate of wages credited to his account.

That the said bark proceeded to Shanghai, China, when the said Plaintiff appealed to the United States Consulate-General for the relief provided by law in such cases.

Wherefore your Petitioner prays that such shipment shall be declared void and that he be released from further service on said Bark, and for such further relief as is provided by law and as to your honorable court may seem meet, and that the defendant may be ordered to pay the costs of this suit.

Signed Lawrence Mooney

Subscribed and Sworn before me U. S. Consul-General at Shanghai, China, this eighth day of November A.D. 1897.

(Seal)

Signed
John Goodnow
U. S. Consul-General
Acting Judicially.

In the United States Court for the
Consular District of Shanghai, China.
Shanghai November 1897

Lawrance Mooney, Plaintiff
and
American Trading Co. Defendant.

To.
John Goodnow Esq.
Consul General
and Judge

The answer of the abovenamed Defendants by their Manager to the Petition of the above named Plaintiff shows as follows.

1. They Defendants deny the allegation that the Plaintiff was taken to sea without his consent and say that he after clearance of the vessel at Victoria B. C. came on board and thereafter of his own free will signed the ships articles.

2. They Defendants deny the allegation that Advance money was wrongfully charged against the Plaintiff and say that such advance as charged was paid in satisfactory of a debt

of

of the Plaintiff at his request.

3. The Defendants deny the allegation that the Plaintiff has been credited with an improperly low rate of wages as alleged in the said Petition

Signed The American Trading Co.
by their Attorney
Ja[illegible] Jones

Subscribed and Sworn to at Shanghai for on and behalf of the American Trading Company Defendants by James Jones Manager of the said Corporation

Before me

Signed [illegible] (Seal)
U.S. Consul General

III 28

U.S. CONSULAR COURT.

Shanghai, 10th November.

Before Mr. JOHN GOODNOW, Consul-General.

ALLEGED "SHANGHAI-ING."

Lawrence Mooney, an American citizen, this morning made application for release from an engagement as seaman on board the American barque *St. Katherine*. The American Trading Coy., agents for the *St. Katherine*, were defendants, and were represented by Mr. H. P. Wilkinson, Mr. James Jones, manager being also present.

The petition of the plaintiff set forth that he had been put on board the barque *St. Katherine* at Victoria, B.C., on July 12th last, and taken to sea on that ship on July 14th last, without his consent and against his expressed protest, and without his having been signed on, or his signature attested in the manner required by law; that advance money had been wrongfully charged as paid out for him, that an improperly low rate of wages had been credited to his account; and that the barque had proceeded to Shanghai, where plaintiff had appealed to the United States Consul-General for the relief provided by law. Plaintiff therefore prayed that the engagement referred to should be declared void, that he should be released from his engagement in the articles; that he should obtain such further or other relief as the Court might deem necessary; and that the defendants should be ordered to pay the costs of the suit.

Defendants, in their answer, denied the allegation that plaintiff had been taken to sea without his consent, and held that after the clearance of the vessel at Victoria, plaintiff came on board and afterwards, of his own free will, signed the ship's articles. Defendant denied the allegation that advance money was wrongfully charged against the plaintiff, and held that such advance as was charged was paid in satisfaction of a debt of plaintiff, at his request. Defendants also denied the allegation that plaintiff had been credited with an improperly low rate of wages.

A. H. White, Deputy-Consul, produced the ship's articles of the *St. Katherine*.

His Honor: I think the only point we need dwell on in this case is the articles.

Mr. Wilkinson: Yes, your Honor. My case is this, that this seaman came on board and made an agreement with the master after the clearance. Does Mr. White know whether the captain of the *St. Katherine* is dead? As this is the first port the ship has come to he would be able to record better than anybody else.

His Honor: The Court will take cognizance that the master of the ship was very sick and unable to do his work, and that he died when he arrived here. and that he is now dead

Lawrence Mooney, plaintiff, sworn said—On Monday night July 12, 1897, I was taken on board the barque *St. Katherine*, then lying off Victoria, B.C. I woke up next morning and found myself in the carpenter's room. I asked when I had come on board and the carpenter said at "one or two in the morning" I said "I wish to see the captain," and accordingly I went up on deck and was taken by the carpenter to see the captain. He was then going ashore—this was the next day, Tuesday morning. I went over to the captain and said, "I want to go ashore." I told him I had been brought aboard the night before, and said I was no sailor man. He did not reply, but he shoved me across the deck, and the mate ordered me to go down into the forecastle. Next day the tug-boat came alongside to tow us out. The captain ordered me to the wheel. I said "I have never been at a wheel before, and I am no sailor," also told him he had a chance to put me ashore in the tug. But the captain did not put me ashore; he ordered another man to the wheel and the man who took the wheel then is now in Court. When we were two or three days out the captain called me aft and he had some papers ready.

His Honor: What were those papers? Were they articles?

Plaintiff: I cannot say whether they were articles, as I had never been to sea before. The Captain said "Sign these papers. If you don't sign them you don't get any money. If you do sign them you get your money."

His Honor: What did you do?

Plaintiff: I signed my name, but nothing was ever read out to me. On the morning of July 13, a man named Voss, supposed to be the shipping master at Victoria came aboard and asked, "where that man was who was put on board last night," meaning me. He sent a man to me with some oil-skins and a blanket and he said I had signed articles at one or two o'clock in the morning.

His Honor: All this, Mr. Wilkinson, is, I know, somewhat irregular, but it seems the best way to get on with the case.

Mr. Wilkinson: Yes, your Honor. captain

Plaintiff, continuing: The man asked me if I had any advance: I said "No." He said $25 ought to have been paid to me; but I did not receive any money.

His Honor: Had you seen this man Voss before you were on the ship?—I had not seen him before.

As a matter of fact you were drunk on the Monday?—Yes.

You remember being put on board?—No.

Were you with Voss on Monday?—Not to my recollection.

Were you well treated on the voyage out?—I had a pretty hard time of it.

U.S. CONSULAR COURT.

Shanghai, 10th November.

Before Mr. Jesse Godknow,
Consul General.

ATTACHED "SHANGHAI."

Lawrence Mooney, as Assignee of..., this morning made application for release from an engagement as seaman on board the American ship St. Katherine. The American Trading Company, agents for the St. Katherine, were represented by Mr. H. P. Wilkinson; Mr. Jones, manager, being also present.

The petition of the plaintiff set forth that he had been put on board the barque St. Katherine, at Victoria, B.C., on July 12th last, and taken to sea on that ship on July 14th inst., without his consent and against his earnest protest, and although his having signed articles for the ship at Victoria was admitted by him; that advance money had been wrongfully charged as paid out for him, when no money had been so paid; that he was entitled to his discharge from the ship at Shanghai, where plaintiff had applied to the United States Consul General for this relief provided by law. Plaintiff therefore prayed that the engagement referred to should be declared void, that he should be released from his engagement to the ship's articles; that defendant should be ordered to pay plaintiff his costs of the suit.

Defendant, in their answer, denied the allegation that plaintiff had been taken to sea without his consent, and said that after the discharge of the vessel at Victoria, plaintiff came on board and always, of his own free will, signed the ship's articles. Defendant denied the allegation that advance money was wrongfully charged against the plaintiff, and said that such advance was charged was paid in satisfaction of a debt of plaintiff's at that port. Defendants also denied the allegation that plaintiff had been entitled with an improperly low rate of wages.

A. H. Wilkinson, Deputy-Consul, produced the ship's articles of the St. Katherine.

His Honor: I think the only point we need dwell on in this case is the articles.

Mr. Wilkinson: Yes, your Honor. My case is this, that this seaman came on board and made an agreement with the master after the discharge. Does Mr. White know whether the captain of the St. Katherine is dead? As this is the first port the ship has come to he would be able to report better than anybody else.

His Honor: The Court will take cognizance that the master of the ship was very sick and unable to do his work, and may be dead when he arrived here.

Lawrence Mooney, plaintiff sworn said—On Monday night, July 12, 1897, I was taken on board the barque St. Katherine, then lying at Victoria, B.C. I woke up next morning and found myself in the carpenter's room. I ask'd when I had come on board and the carpenter said at "one or two in the morning" I said "I wish to be the captain," and accordingly I went up on deck and was taken by the carpenter to the captain. He was standing about — this was the next day. Tuesday morning. I went over to the captain and said, "I want to go ashore." I told him I had been (a) aboard the night before, and still I was an unfree man. He did not reply, but he drew me across the deck, and the mate ordered me to go down into the forecastle. Next day the carpenter came alongside to tow us out. The captain ordered me to the wheel. I said "I have never been at a wheel before, and I am no sailor," also told him he had agreed to pay my passage in the tug. But the captain did not pay my passage; he ordered another man to the wheel and the man who took the wheel then is now in Court. When we were two or three days out the captain called me aft and he had some paper ready.

His Honor: What were those papers? Were they articles?

Plaintiff: I cannot say whether they were articles, as I had never been to sea before. The Captain said "Sign these papers. If you don't sign them you don't get any money. If you do sign them you get your money."

His Honor: What did you do?

Plaintiff: I signed my name, but no body was ever read out to me. On the morning of July 13 a man named Vose, supposed to be the shipping master at Victoria came aboard and asked," whom the man was who was out on board last night," meaning me. He sent a man to me with some oil skins and a blanket and he said I had signed articles at one or two o'clock in the morning.

His Honor: All this, Mr. Wilkinson, is, I know, somewhat irregular, but it seems the best way to get on with the case.

Mr. Wilkinson: Yes, your Honor.

Plaintiff, continuing: The man asked me "if I had any advance: I said "No". He said $25 ought to have been paid to me; but I did not receive any money.

His Honor: Had you seen this man Vose before you were on the ship?—I had not seen him before.

As a matter of fact you were drunk on the Monday?—Yes.

You remember being put on board?—Yes.

Were you with Vose on Monday?—Not to my recollection.

Were you well treated on the voyage out?—I had a pretty hard time of it.

Mr. Wilkinson: You say you are not a sailor?—No.

Are you always dressed as you are now?—No.

Without braces?—I have always worn braces.

Have you a certificate from any shippingmaster in the States that you are an American citizen?—I have never had anything to do with a shipping master.

Have you any other papers?—No. I have no need for them.

When in Victoria had you intended to go to sea?—No.

What had you to do with Voss, then, who is a shipping master?—I had nothing to do with him.

You did not owe Voss any money?—No.

How did you come across him?—I do not remember.

Were you ever put on board any other ship in Victoria and taken off again?—I was never on a ship before in my life.

What is your occupation?—I am a labourer; do any kind of work.

You were hard up at this time?—No, not then.

Were you looking for a job?—Yes, but not to go to sea.

This is your signature (articles produced)?—Yes, but that day, July 12, I was not on board.

Did you want Voss to take you ashore?—Yes, but he refused; he was then in the boat.

How far off the shore was the ship?—About 1½ miles.

Were there any boats around?—No. The only boat I saw was a water-boat, which was there on Wednesday.

Did the tug-boat come alongside?—Yes; that was why I asked the captain to put me on shore.

How soon did you get sober on the Tuesday?—I was pretty stupid all day.

His Honor: Were you taken before the United States Consul in Victoria?—No.

Did you sign your name to these articles before the United States Consul?—I did not.

Mr. Wilkinson: I think it would be well, your Honor, if I pointed out what the defence is going to be.

His Honor: One point I want to call your attention to in the shipping articles. All the rest of the men are on this ratification of the Consul dated the 13th July. I judge the men signed, some on the Monday and some on the Tuesday, and that the Consul gave his certificate on the Tuesday.

Mr. Wilkinson: The defence is that the vessel having been cleared at the time Mooney signed the articles, the Captain was exactly in the same position as a shipping commissioner under section 4504 of the Statutes.

His Honor: Are you prepared to dispute that the plaintiff came on board the night of the 12th?

Mr. Wilkinson: I have to take the evidence of the mate as to that. I have not a sufficient knowledge of the case.

His Honor: If you admit that, he could not have signed before the Consul on the [illegible].

James Fettes, chief mate of the *St. Katherine*, was called and sworn.

By Mr. Wilkinson: Do you remember when the *St. Katherine* was in Victoria, B.C.?—I do.

Did you see the plaintiff at any time on board?—I was asleep when he came on board. At half-past five on Tuesday morning the man on watch called me, and mentioned that there was another sailor on board, and that Voss had brought him.

Who is this man Voss?—He is the proprietor of the Queen's Hotel, Victoria. He also supplies clothes and other things to ships.

His Honor: I understand he keeps a sailors' boarding-house and supplies sailors to ship?—Yes.

Mr. Wilkinson: When did you first see the plaintiff?—At about nine or ten o'clock on Tuesday morning.

Did the United States Consul come on board on Tuesday?—I did not see him, but he was on board on Monday.

Were you on board all Tuesday?—Yes.

What happened when you first saw the plaintiff?—The captain was going ashore, and plaintiff came running after him saying he was no sailor and wanted to go ashore. The captain ordered him away, and I sent him into the foc'sle, to sleep some of the whisky off.

His Honor: When did you next see plaintiff?—On the Wednesday.

Was he sober?—Yes.

Were there any boats alongside on Tuesday?—Only Voss's boat.

Did the tug-boat come alongside?—Not exactly alongside, but pretty close.

Did you hear the captain speak to the plaintiff on the Wednesday?—No.

Mr. Wilkinson: Do you know anything about plaintiff signing on?—No. When Voss came aboard on the Tuesday he told me plaintiff had signed articles the day before.

Did you see the blanket and oil-skins come aboard?—No. I afterwards gave the plaintiff stores in the way of soap and other things.

Did he object to receive them?—No.

You have never seen the plaintiff on shore with Voss?—No.

George Welton, seaman on the *St. Katherine*, sworn, said he had joined the ship in Victoria, and had signed the articles on the 13th of July, in the U.S. Consul's office.

His Honor: At what time did you sign?—About ten in the forenoon.

Mr. Wilkinson: Had you been on board?—No.

Did you see the Consul on board?—No.

When did you first see the plaintiff?—With Voss, in the streets of Victoria on the Monday.

Mr. Wilkinson: You say you are not a sailor?—No.

Are you always dressed as you are now?—No.

Without breeze?—I have always worn breeze.

Have you a certificate from any shipmaster in the States that you are an American citizen?—I have never had anything to do with a shipping master.

Have you any other papers?—No. I have no need for them.

When in Victoria had you intended to go to sea?—No.

What had you to do with Voss, then, who is a shipping master?—I had nothing to do with him.

You do not owe Voss any money?—No.

How did you come across him?—I do not remember.

Were you ever put on board any other ship in Victoria and taken off again?—I was never on a ship before in my life.

What is your occupation?—I am a labourer; do any kind of work.

You were hard up at this time?—No, not then.

Were you looking for a job?—Yes, but not to go to sea.

This is your signature (articles produced)?—Yes, but that day, July 12, I was not on board.

Did you want Voss to take you ashore?—Yes, but he refused; he was then in the boat.

How far off the shore was the ship?—About 1½ miles.

Were there any boats around?—No. The only boat I saw was a water-boat, which was there on Wednesday.

Did the tug-boat come alongside?—Yes; that was why I asked the captain to put me on shore.

How soon did you get sober on the Tuesday?—I was pretty stupid all day.

His Honor: Were you taken before the United States Consul in Victoria?—No.

Did you sign your name to these articles before the United States Consul?—I did not.

Mr. Wilkinson: I think it would be well, your Honor, if I pointed out what the defence is going to be.

His Honor: One point I want to call your attention to in the shipping articles. All the rest of the men are on this ratification of the Consul dated the 18th July. I judge the men signed, some on the Monday and some on the Tuesday, and that the Consul gave his certificate on the Tuesday.

Mr. Wilkinson: The defence is that the vessel having been cleared at the time Mooney signed the articles, the Captain was exactly in the same position as a shipping commissioner under section 430† of the Statutes.

His Honor: Are you prepared to dispute that the plaintiff came on board the night of the 12th?

Mr. Wilkinson: I have to take the evidence of the mate as to that. I have not a sufficient knowledge of the case.

His Honor: If you admit that, he could not have signed before the Consul on the 13th.

James Potter, chief mate of the St. Katherine, was called and sworn:

By Mr. Wilkinson: Do you remember when the St. Katherine was in Victoria, B.C.?—I do.

Did you see the plaintiff at any time on board?—I was asleep when he came on board. About five past five on Tuesday morning the man on watch called me, and mentioned that there was another sailor on board, and that Voss had brought him.

Who is this man Voss?—He is the proprietor of the Queen's Hotel, Victoria. He also supplies clothes and other things to ships.

His Honor: I understand he keeps a sailors' boarding-house and supplies sailors to ship?—Yes.

Mr. Wilkinson: When did you first see the plaintiff?—About nine or ten o'clock on Tuesday morning.

Did the United States Consul come on board on Tuesday?—I did not see him, but he was on board on Monday.

Were you on board all Tuesday?—Yes.

What happened when you first saw the plaintiff?—The captain was going ashore, and plaintiff came running after him saying he was no sailor and wanted to go ashore. The captain ordered him away, and I sent him into the fo'c'sle, to sleep, some of the whisky off.

His Honor: When did you next see plaintiff?—On the Wednesday.

Was he sober?—Yes.

Were there any boats alongside on Tuesday?—Only Voss's boat.

Did the tug-boat come alongside?—Not exactly alongside, but pretty close.

Did you hear the captain speak to the plaintiff on the Wednesday?—No.

Mr. Wilkinson: Do you know anything about plaintiff signing on?—No. When Voss came aboard on the Tuesday he told me plaintiff had signed articles the day before.

Did you see the blanket and oil-skins come aboard?—No. I afterwards gave the plaintiff stores in the way of soap and other things.

Did he object to receive them?—No.

You have never seen the plaintiff on shore with Voss?—No.

George Wilson, seaman on the St. Katherine, sworn: said he had joined the ship in Victoria, and had signed the articles on the 13th of July, in the U.S. Consul's office.

His Honor: At what time did you sign?—About ten in the forenoon.

Mr. Wilkinson: Had you been on board?—No.

Did you see the Consul on board?—No.

When did you first see the plaintiff?—With Voss, in the streets of Victoria on the Monday.

Was he sober?—No, he was a great deal the worse for drink. I found that Voss had been a hotel-keeper, but had lately taken to the shipping business and smuggling.

His Honor: Excuse me a moment, Mr. Wilkinson. (To witness.) You say smuggling?

Witness: Yes.

His Honor: Do you mean opium smuggling?—Yes.

Across the line into the United States?—Yes.

Mr. Wilkinson, continuing his examination: How often did you see the plaintiff on the street?—Only once. I saw him on board on Tuesday. He was there when I went on board.

Did he have any conversation with you?—No.

Did you hear him say anything at any other time?—Yes, on Wednesday. The Captain ordered him to go aloft with the rest of us. That was on the morning of the day we sailed. Mooney said he was no seaman and would not go aloft. The Captain wanted to drive him up, but he would not go.

Do you know anything about plaintiff's signing articles?—Not to my own knowledge.

His Honor: Did you have any conversation with the plaintiff relating to the manner in which he was shipped?—No particular conversation with him myself, but it was the general talk about the ship that Mooney had come on board against his will, and he constantly claimed that.

James Fettes, chief mate, recalled, said he had been unable to find the official log-book on the ship.

His Honor: You will notice, Mr. Wilkinson, the different rates of wages paid here. The highest rate for seamen is $25, and the plaintiff is marked $17.

Mr. Wilkinson: Your Honor will notice there are two other men with $17.

Mr. Wilkinson summed up: The plaintiff, he said, had undoubtedly come on board drunk, as seamen often did, and although they might agree on shore to go on board a ship, they might naturally feel very bad next morning. Still, that did not amount to a case of "Shanghaiing." As regarded the mattress and blanket, etc, which had been brought on board, the fact of plaintiff's using them, which he admitted he had done, showed that there must have been some previous arrangement between Voss and himself as regarded his going to sea. Voss would not have come off with the mattress and things had there been no previous conversation.

His Honor: He may have agreed with the Captain to bring them on board, and he may have done so with the intention of making a profit off them.

Mr. Wilkinson: There must have been some agreement about it. A boarding-house master does not go up and down the harbour with oil-skins. Then, if it really had been a case of "Shanghaiing," the plaintiff would have had an opportunity in those two days of getting ashore. The Captain unfortunately is dead, but I take it that he, being a Captain of a Unitd States vessel, would not have been such a fool as to have had a man "Shanghaiied" on his ship, and have remained for two days in a harbour without putting him ashore, thus making himself liable to the penalties of the laws of the United States. As regards the certificate given by the United States Consul, it was given on the 13th when the crew was complete, the men being on board on the 12th. That shows that the 12th in the case of the plaintiff was not the date on which he signed, but the date from which his pay commenced. The position is this: that the U. S. Consul properly never—and as a regular thing no doubt—gives his certificate at the time when the shipment of sailors is supposed to be about complete; he gives his certificate on one day; and it covers sailors who have gone on board and signed articles at various dates. The plaintiff's own evidence apparently was that he did not sign at all on the 12th. That is our case too, but he signed at some time afterwards. That date was the date from which his wages were to commence. Then the fact of plaintiff's not being a sailor would justify his being paid $17.

His Honour: If the signing is legal the rate of wages is legal.

Mr. Wilkinson: The next point is whether the shipping of plaintiff was legal or not. I have referred to Section 4504, and my argument under that is that the Captain, supposing that Mooney signed on after the clearance of the vessel by the Consul on the 13th, and while the vessel was at sea, was perfectly entitled to act as a shipping commissioner for the purpose of putting this man on the ship's articles.

The learned Counsel went on to quote Section 4516 of the Statutes, holding that, in a port where there was a consular official or a commercial agent, his signature and certificate should be procured. In the present instance it was in the records of the Court that there was a consular agent at Victoria, and the question now was whether the subsequent signing of the plaintiff on the articles of the ship at sea did not do away with any claim of the plaintiff. The signing was not accomplished under any threats or compulsion.

His Honor: The plaintiff's testimony was to the effect that if he signed he would get money, and if not, he would get no money.

Was he sober?—No, he was a great deal the worse for drink. I found that Voss had been a hotel-keeper, but had lately taken to the shipping business and smuggling.

His Honor: Excuse me a moment, Mr. Wilkinson. (To witness.) You say smuggling?

Witness: Yes.

His Honor: Do you mean opium smuggling?—Yes.

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Mr. Wilkinson, continuing his examination: How often did you see the plaintiff on the street?—Only once. I saw him on board on Tuesday. He was there when I went on board.

Did he have any conversation with you?—No.

Did you hear him say anything at any other time?—Yes, on Wednesday. The Captain ordered him to go ashore with the rest of us. That was on the morning of the day we sailed. Mooney said he was no seaman and would not go ashore. The Captain wanted to drive him up, but he would not go.

Do you know anything about plaintiff's signing articles?—Not to my own knowledge.

His Honor: Did you have any conversation with the plaintiff relating to the manner in which he was shipped?—No particular conversation with him myself, but it was the general talk about the ship that Mooney had come on board against his will, and he constantly claimed that.

James Peters, chief mate, recalled, said he had been unable to find the official log-book on the ship.

His Honor: You will notice, Mr. Wilkinson, the different rates of wages paid here. The highest rate for seamen is $25, and the plaintiff is marked $17.

Mr. Wilkinson: Your Honor will notice there are two other men with $17.

Mr. Wilkinson summed up: The plaintiff, he said, had undoubtedly come on board drunk, as seamen often did, and although they might agree on shore to go on board a ship, they might naturally feel very bad next morning. Still, that did not amount to a case of "Shanghaiing" As regarded the matters and blankets, etc., which had been brought on board, the fact of plaintiff's using them, which he admitted he had done, showed that there must have been some previous arrangement between Voss and himself as regarded his going to sea. Voss would not have come off with the mattress and things had there been no previous conversation.

His Honor: He may have agreed with the Captain to bring them on board, and he may have done so with the intention of making a profit out of them.

Mr. Wilkinson: There must have been some agreement about it. A boarding-house master does not go up and down the harbour with oil-skins. Then, if it really had been a case of "Shanghaiing," the plaintiff would have had an opportunity in those two days of getting ashore. The Captain unfortunately is dead, but I take it that he, being a Captain of a United States vessel, would not have been such a fool as to have had a man "Shanghaied" on his ship, and have remained for two days in a harbour without putting him ashore, thus making himself liable to the penalties of the laws of the United States. As regards the certificate given by the United States Consul, it was given on the 13th when the crew was complete, the man being on board on the 12th. That shows that the 13th in the case of the plaintiff was not the date on which he signed, but the date from which his pay commenced. The position is this: that the U. S. Consul properly never—and as a regular thing no doubt—gives his certificate at the time when the shipment of sailors is supposed to be about complete; he gives his certificate on one day; and it covers sailors who have come on board and signed articles at various dates. The plaintiff's own evidence apparently was that he did not sign at all on the 12th. That is our case too, but he signed at some time afterwards. That date was the date from which his wages were to commence. Then the fact of plaintiff's not being a sailor would justify his being paid $17.

His Honor: If the signing is legal the rate of wages is legal.

Mr. Wilkinson: The next point is whether the shipping of plaintiff was legal or not. I have referred to Section 45[illegible] and my argument under that is that the Captain, supposing that Mooney signed on after the clearance of the vessel by the Consul on the 13th, and while the vessel was at sea, was perfectly entitled to act as a shipping commissioner for the purpose of putting this man on the ship's articles.

The learned Counsel went on to quote Section 4515 of the Statutes, holding that, in a port where there was a consular official or a commercial agent, his signature and certificate should be procured. In the present instance, it was in the records of the Court that there was a consular agent at Victoria, and the question now was whether the subsequent signing of the plaintiff on the articles of the ship as sea did not do away with any claim of the plaintiff. The signing was not accomplished under any threats or compulsion.

His Honor: The plaintiff's testimony was to the effect that if he signed he would get money, and if not, he would get no money.

Mr. Wilkinson: Compulsion on board ship is not quite the same thing as compulsion in a church. I do not say the plaintiff did not intend to get to shore, but on shore he placed himself voluntarily in a position the outcome of which was that he went to sea. The American Trading Company here are agents, and through the death of the captain, their principal witness, have had to fight this case without him.

His Honor: This Court will take cognizance of the fact, as the Counsel asks that the captain is dead. That is the peculiar difficulty of this case, and also the fact that the American Trading Co. are agents only since the arrival of the ship. In any judgment that I give in the matter I am not reflecting in the slightest degree upon the Company. They are simply here as representing the owners of the ship, and have had nothing to do with any illegal shipments in this matter. The case to me is a very plain one. The law bearing on it, as I read in Section 4515, holds that all masters, before carrying seamen to sea shall procure the sanction of the consular officer. In this case this was done in regard to all the men on the articles except the plaintiff, and all such agreements must be endorsed by the Consul. The reason for this attestation before the Consul is to prevent such a case as this before us. Had this man Mooney gone before the Consul on Monday night or on Tuesday morning his name would not have appeared on the articles in the present form. The penalty on any master in such a case is not more than $100, for which penalty the vessel shall be held liable. Every seaman so shipped may leave the ship at any time and shall recover the highest wages paid at the port at which he shall be so shipped unless he is shipped at higher than the customary rate. The majority of the crew were on board on Monday, July 12, as is customary, in order to get the ship in readiness for sailing. The men were taken before the Consul as is customary, as they were engaged, the last man taken being George Woton, on July 13, at 10 a.m. This man Mooney, according to the testimony, was drunk on Monday and was so with the man Voss, whose business it is to supply vessels with seamen, and according to the testimony, not very scrupulous in doing so. On the testimony of three witnesses Mooney appeared on the ship on Tuesday morning. He went to the Captain, and in this matter I cannot say that the testimony of the Captain is very important, because we have two witnesses already from the ship. He went to the captain as he was going ashore and told him he was "no sailor" and wanted "to go ashore," and the captain repulsed him. This was before Woton was signed before the Consul. That was the captain's mistake. He should have taken this man ashore then or taken him ashore and signed him before the American Consul. I think that the fact that there were boats about on Tuesday is immaterial. We have testimony that Voss brought off certain articles on Tuesday morning. I think that has no bearing on the case. It does not imply there had been an agreement between Mooney and Voss, whose business it is to supply sailors for money. He gets his profit out of this advance money. On Wednesday morning again Mooney said to the Captain he was no sailor and did not want to go to sea on the ship. I find here in the articles that Mooney was never before the Consul. Although all the others were. His name is in a different handwriting from the others, and you find under our law that all interlineations in different handwriting from that of the book must be deemed fraudulent, unless otherwise shown. All these facts show plainly to me that the plaintiff was signed on after the vessel went to sea, and his story is a very natural one. I see this case in no other way than that it is a gross case of "Shanghai-ing." It is not a question of Mooney being sober, no question of social standing. I hold that he was illegally shipped, and from that fact, that he is released from any further service on board the *St. Katherine*, and that he is entitled to be credited with $25 a month from the time of the shipment. ~~Partly as a matter of right, and partly as a matter of penalty.~~ I hold that the advance money shall not be charged to his account and that the defendants shall pay his fare in some sailing vessel to a suitable port on the Pacific coast, to the United States of America or the port from which he shipped, in the meantime maintaining him either on board the *St. Katherine*, with good treatment, which I know would be done, or at some equivalent institution to the Sailors' Home. I will make the wages run from July 13th three months and a half. That would give him half wages since he has been here in the port of Shanghai.

Judgment was given for the plaintiff for costs. The Court then rose.

II Copy

The United States Court for the Consular District of Shanghai, China.

Lawrence Mooney, Plaintiff.

vs.

American Trading Company, as Agent for the Bark St. Catherine, Defendants

Having heard all the evidence offered by both Parties in Open Court and having given the law and the facts due consideration I, John Goodnow, U.S. Consul-General, acting Judicially, render my judgment in this case as follows.

I. The Plaintiff was illegally and wrongfully shipped on the Bark St. Catherine and illegally and wrongfully carried to sea by said bark. From this, the articles of agreement signed by him are void and he is released from further service under them.

II. Plaintiff must be credited with $25.00 per month wages for 3½ months service and no advance money can be deducted from such wages.

III. The defendant Company shall pay Plaintiff's fare as a passenger in some suitable

suitable sailing vessel to some convenient and suitable Port on the Pacific coast of the United States of America; in the meantime maintaining him until put on board such vessel, in a proper manner on board the St. Catherine or in some boarding house in Shanghai equal to the Sailors Home; all under the supervision of this Court.

IV. The defendant company is hereby directed to render an itemized account to this Court of the wages credited and the amounts charged against said Plaintiff on the books of the St. Catherine and to pay in to this Court for the benefit of said Plaintiff all balance of wages found due and owing Plaintiff under such accounting.

V The defendants are hereby ordered to pay all the costs of this action including stenographers fee.

Given under my hand and seal this 10th day of November A.D. 1897.

Signed John Goodnow
U. S. Consul General
Acting Judicially

Seal

98

V

THE RECENT CASE OF "SHANGHAI-ING."

(*Thursday, 11th November.*)

It may be remembered that, on the 4th ultimo, we called attention in our leading columns to the evident revival of the practice of "Shanghai-ing," or kidnapping sailors on board China-bound vessels sailing from New York. The instances then quoted were of two men who certainly signed the ship's articles, but in one case under the impression that the vessel was a steamer, and in the other under compulsion, one may say, of destitution, which will drive men to do things that otherwise they would refuse at the muzzle of the revolver. Now, a genuine instance of "Shanghai-ing" has come to light here and has formed the first case to come before Consul-General GOODNOW, sitting as Judge, in the United States Consular Court. The men wrongfully, if legally, shipped in New York and cast adrift in Shanghai, referred to in our leading columns of October 4th, belonged to British ships. In the case which came before Mr. GOODNOW yesterday the ship was the *St. Katherine*, on the American registry, but the offence was really committed in British Columbia. Whether the chief actor was a British subject or not was not revealed, but the case is one calling for the consideration of the provincial Attorney-General and the United States Consul at Victoria. Shortly, one Voss, it is alleged, put a shoreman, MOONEY, on board the *St. Katherine*, while the man was fuddled with drink, insensible in fact. MOONEY woke up next morning and asked to be put ashore. His request was refused by the Captain and he had to go the whole voyage. Further, Voss, according to the evidence, got and cashed an advance note debited to MOONEY, who says he never saw it and never received any money from it. He did receive some oil-skins and a blanket, but nothing else. Of Voss, we will say nothing, but we commend the following evidence—stenographed by order of the Court—to the attention of the British Columbian Police:—

Mr. Wilkinson, (Counsel for the Defendants, agents for the barque): Who is this man Voss?—He is the proprietor of the Queen's Hotel, Victoria. He also supplies clothes and other things to ships.

His Honour: I understand he keeps a sailors' boarding house and supplies sailors to ships?—Yes.

Mr. Wilkinson (cross-examining George Wotton, a seaman on the *St. Katherine*) When did you first see the plaintiff?—With Voss, in the streets of Victoria on the Monday.

Was he sober?—No, he was a great deal the worse for drink. I found that Voss had been a hotel-keeper, but had lately taken to the shipping business and smuggling.

His Honor: Excuse me a moment, Mr Wilkinson. (To witness.) You say smuggling.

Witness: Yes.

His Honor: Do you mean opium smuggling?—Yes.

Across the line into the United States?—Yes.

The evidence may be false, it may be true, but it was given in open Court, and obviously the Police of Victoria have a duty to their United States *confrères* of Washington State, which without doubt they will properly discharge, in making some enquiry, as to the alleged smuggling, even if the statements of the witness WOTTON are a tissue of falsehoods.

[2]

Mr. WILKINSON, for the American Trading Co., made as artistic a defence as he could, but with the evidence laid before him Mr. GOODNOW could do nothing but give judgment with costs for MOONEY in the face of Section 4,517 of the United States Revised Statutes, which reads:—

"Every master of a merchant vessel who engages any seaman at a place out of the United States, in which there is a consular officer or commercial agent, shall, before carrying such seaman to sea, procure the sanction of such officer, and shall engage seamen in his presence and the rules governing the engagement of seamen before a shipping commissioner in the United States shall apply to such engagements made before a consular officer or commercial agent; and upon every such engagement the consular officer or commercial agent shall indorse upon the agreement his sanction thereof, and an attestation to the effect that the same has been signed in his presence, and otherwise duly made."

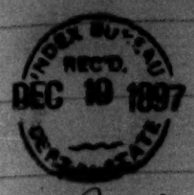
The Judge's position was also very clearly defined by the Consul's attestation, which every United States Shipping Agreement bears, and which runs as follows:—

"State of , County of On this day of , personally appeared before me, a shipping commissioner in and for the said county, A. B. C. D. and E. F., severally known to me to be the same persons who executed the foregoing instrument, who each for himself acknowledged to me that he had read or had heard read the same; that he was by me made acquainted with the conditions thereof, and understood the same; and that, while sober and not in a state of intoxication, he signed it freely and voluntarily, for the uses and purpose therein mentioned."

Shanghai Mercury—

Consul

No. 29



Consulate-General of the United States,

Shanghai, Nov. 12th, 1897.

Mr. John Goodnow,

To the Department of State.

ack. by form.
Dec. 17.97.

Subject:

Report regarding Office Building.

Abstract of Contents.

No. 29

Consulate-General of the United States,

Shanghai, Nov. 12th, 1897.

Honorable William R. Day.

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit in compliance with Paragraph 65 of the Consular Regulations, the following brief report in relation to the building and offices used as the United States Consulate General.

The building is situated in the British Concession of the City of Shanghai, at no 13 Kiukiang Road being in a business quarter.

The offices are separate and self contained and the building devoted to the exclusive use of the Consular business.

The building rents as follows:

For the Consular offices $250.00 per quarter or $1,000.00 a year.

For the Jail $187.50 per quarter

quarter or $750.00 a year.

These rentals are paid quarterly to the Shanghai Land Investment Co. by a fifteen days sight draft drawn by the Consul General on the Department of State.

The rent for the Post Office rooms is $125.00 Mexican per quarter or five hundred mexican dollars per year.

The rise and fall of exchange does not permit a definite gold value being placed on this amount but a safe approximation would be about two hundred and fifty dollars (Gold). This rental is paid by the Comprador out of the Post Office receipts. Should there be a deficit he advances the full amount and this excess paid by him is settled by draft on the Post Office Department.

The present lease to this Consulate General will expire March 31st 1900.

Herewith.

No.

Consulate-General of the United States,

, 189 .

Mr.

To the Department of State.

Subject:

Abstract of Contents.

Herewith are inclosed diagrams of the different floors building showing the size and arrangement of its rooms, and in a general way the furnishing therein. A report submitted to the Department some time since furnishes a full and complete inventory of the furniture in use here.

After office hours the building is looked after and guarded by Mr. Derby, the Jailor, who has his room in it and by a Chinese watchman, who also rooms in the building.

I have the honor to be
Sir
Your obedient servant.
John Goodnow
Consul General.

No.

Consulate-General of the United States,

, 189 .

Mr.

To the Department of State.

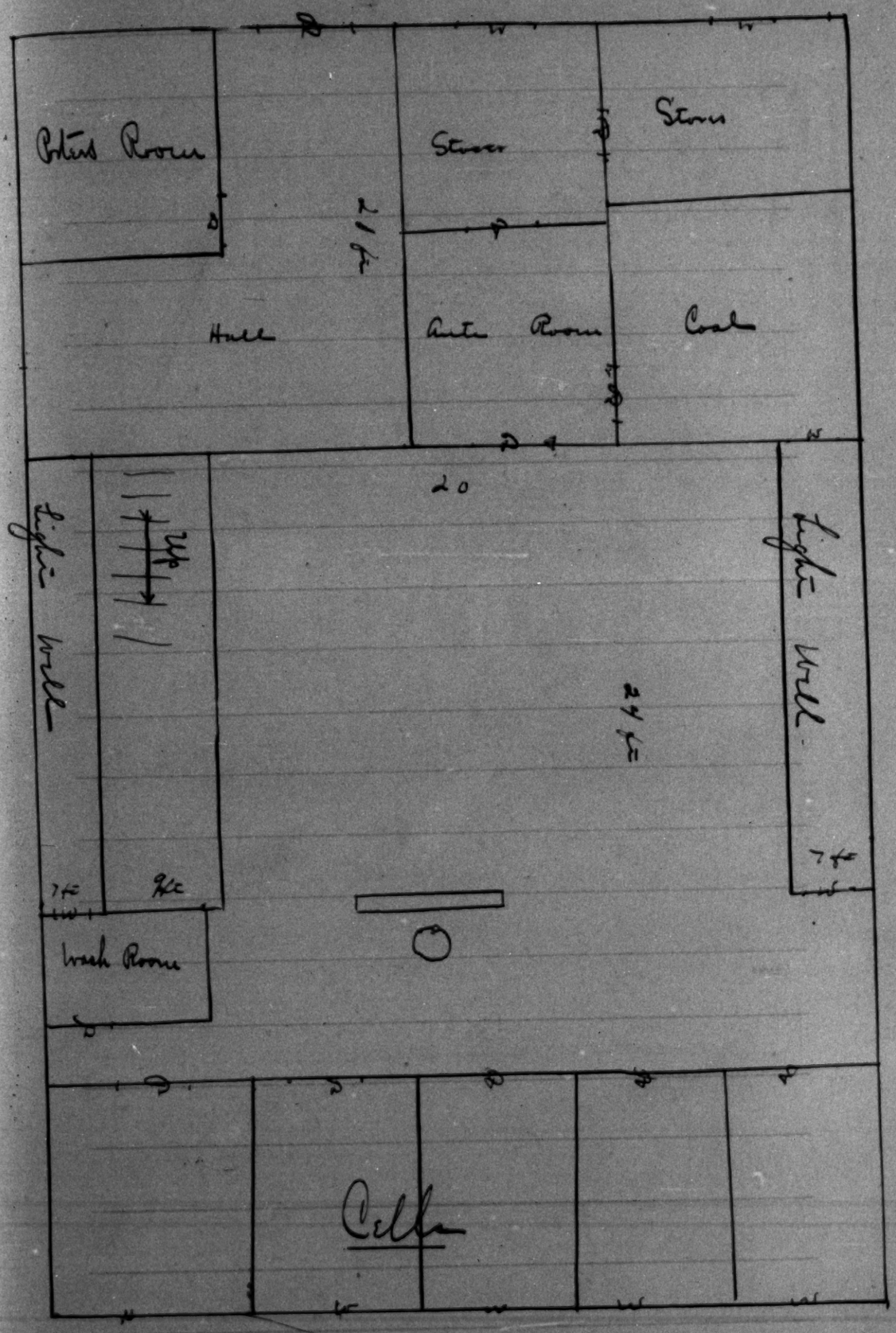
Subject:

Abstract of Contents.

CONSULATE-GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA. 189

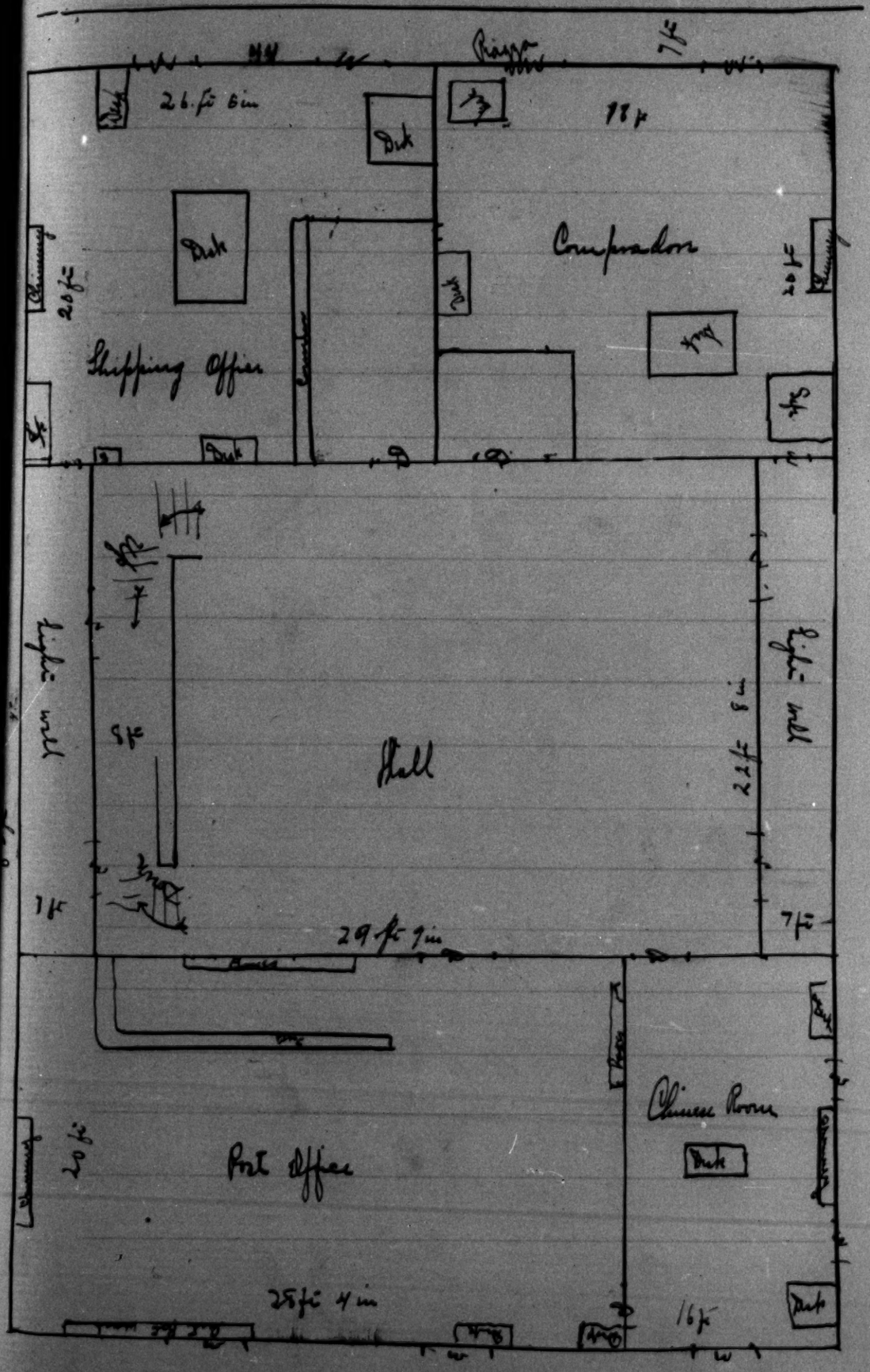
Basement - Jail



CONSULATE-GENERAL OF THE UNITED STATES.

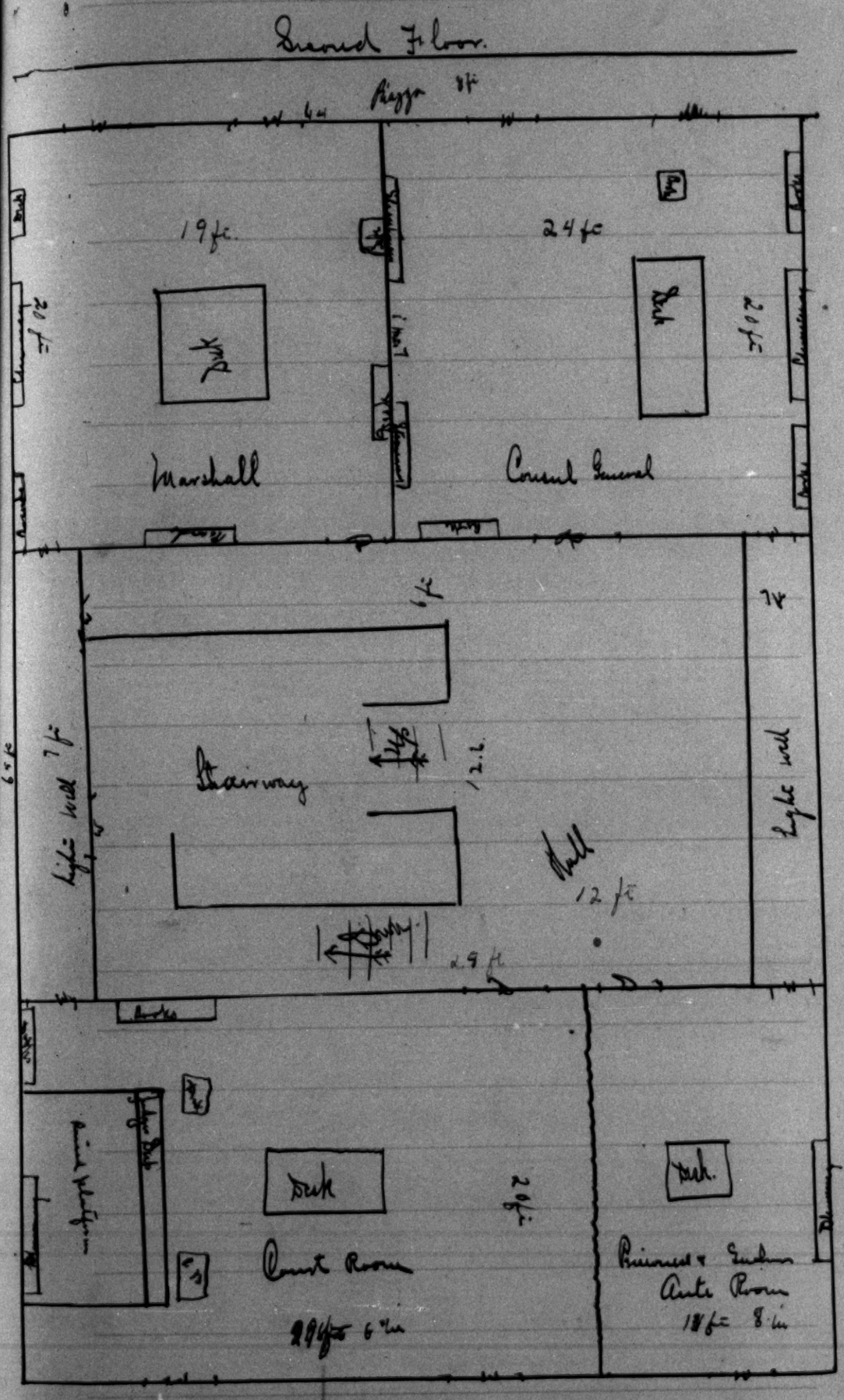
SHANGHAI, CHINA, 189

First Floor



CONSULATE-GENERAL OF THE UNITED STATES.

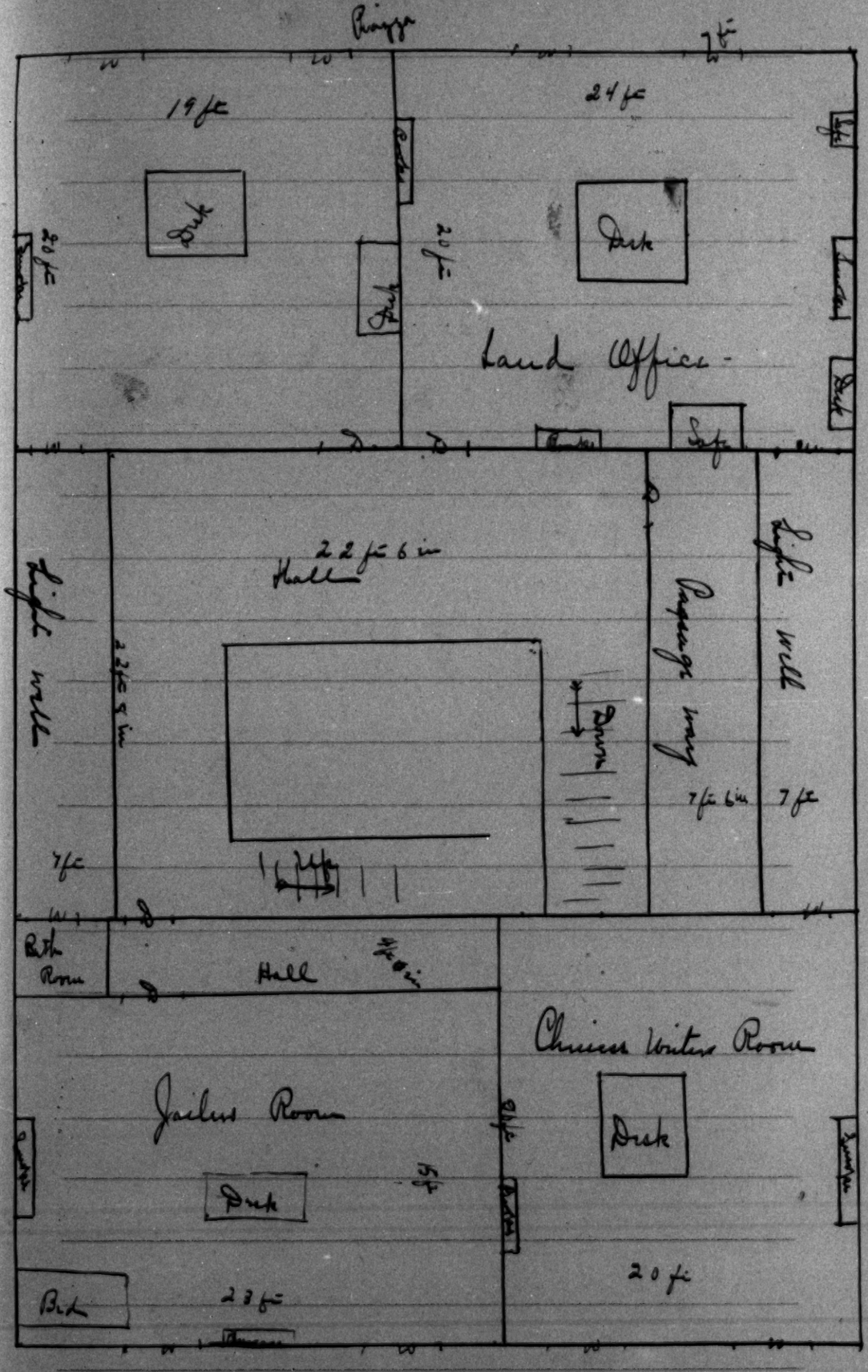
SHANGHAI, CHINA, 189



CONSULATE-GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 189

Third Floor



CONSULATE-GENERAL OF THE UNITED STATES.

SHANGHAI, CHINA, 189

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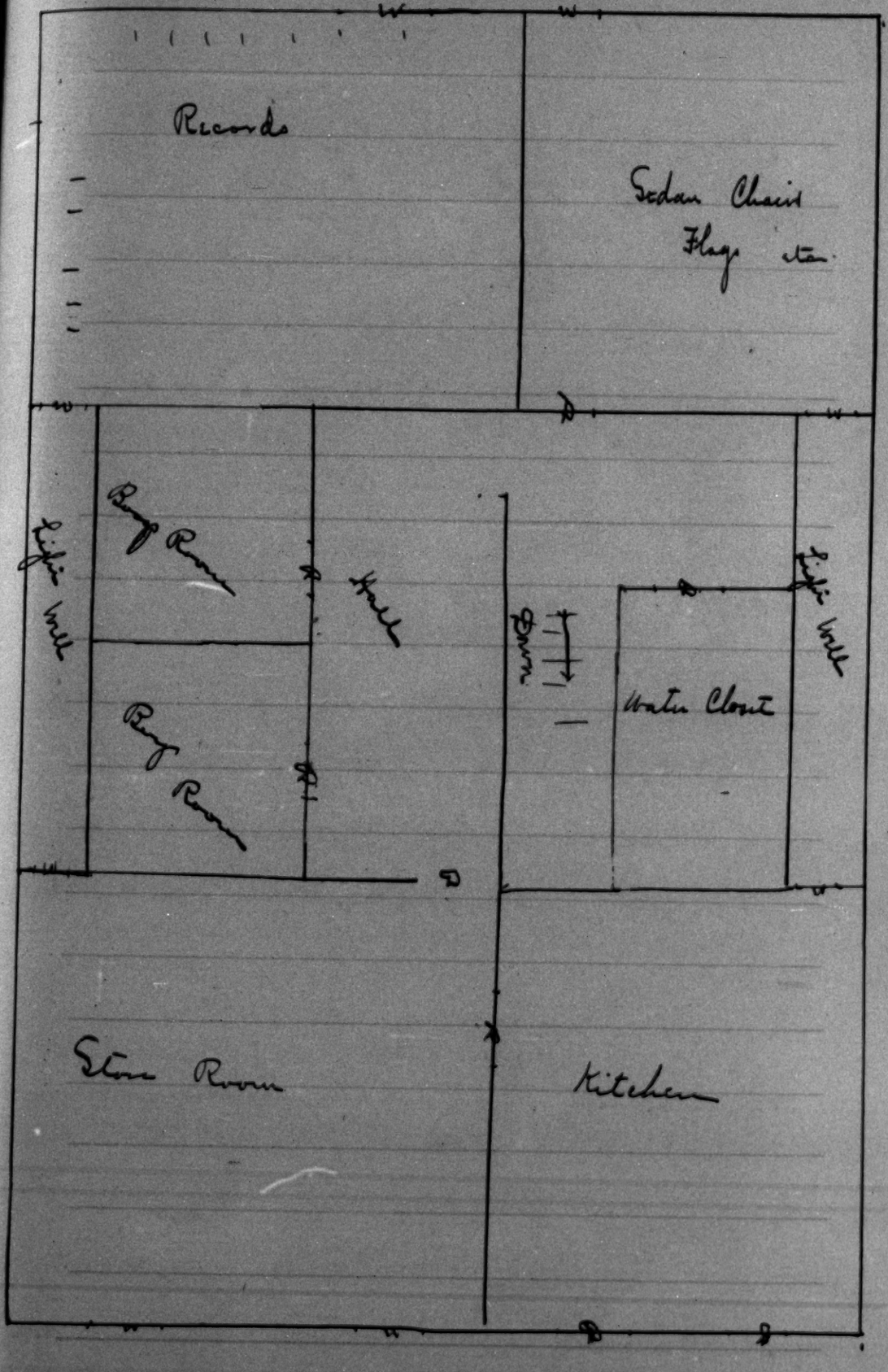

Shanghai

No. 2
Am. cons. Nov 13
cmfd Nov 15 pm
13

TELEGRAM RECEIVED.

OF STATE
3,9.17 AM 1897
CLKS. OFFICE
RECEIVED

INDEX BUREAU
REC'D.
NOV 13 '97
DEPT. OF STATE

From Shanghai

nov 13, 1897

Received 9 15 AM.

Snider

Washington.

NOV 13 1897

Wire appointment Arthur White Deputy consul General bound sent urgent.

Goodnow.

Consular Bureau

No. 30

Consulate-General of the United States,

Shanghai Nov 19, 1897.

INDEX BUREAU
REC'D.
DEC 22 '97
DEPT. OF STATE

Mr. Goodnow

To the Department of State.

To Treasury for
ack. by form
copy to Hess.
Dec. 29. 97.
Returned to
Dep. 27/98.

Subject:

Settlement of the Judgment of this Court in "Mooney vs American Trading Co, Agents for the bark "St Catherine"

Abstract of Contents.

No. 30

Consulate-General of the United States,

Shanghai Nov^r 19, 1897.

Honorable Wm R Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to report that the American Trading Company Law complied with all the commandments in the Judgment rendered by this Court in the case of Shawnnee Mooney vs American Trading Co. Agents for the bark St Katherine Mooney was sent by them to Port Townsend, Washington in the schooner J. D. Tallant sailing from this Port Nov^r 16^th 1897. The balance of his wages was sent into a draft on New York and given the Captain of the Tallant to be given Mooney on the arrival of the schooner in Port Townsend.

I have the honor to be

Sir

Your obedient Servant

John Goodnow

Consul General

No. 31

File

Consulate-General of the United States,

Shanghai November 26th, 1897.

INDEX BUREAU
REC'D.
DEC 29 '97
DEPT. OF STATE

Mr. Goodnow

To the Department of State.

Subject:

Acknowledging receipt of circulars
State Department Sept. 27th 29th and 30th
Treasury Department Nos 141 and 157

Abstract of Contents.

No. 31

Consulate-General of the United States,

Shanghai Nov. 26th, 1897.

Honorable Wm R Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge receipt of Department of State circulars dated Sept. 27th Sept 29th and Sept. 30th and of Treasury Department circular No 141 and 157; all of which have been noted and the instructions therein carried out.

I found on arriving in Shanghai the 'guaranty' system in force and practically only one guarantor (the Sailors Home) allowed. I have, prior to the receipt of this circular, allowed others to 'guarantee' and to furnish sailors to ships engaging the men at this Consulate-general. and have endeavored to see that no sailor was overcharged or "squeezed". Hereafter the instructions of the circular will be followed Exactly.

I have the honor to be, Sir

Your obedient servant

John Goodnow

Consul General

CONSULAR BUREAU.
NOTED AND PUBLISHED.

No. 32

Consulate-General of the United States,

Shanghai, December 20 1897 , 189 .

INDEX BUREAU
REC'D.
JAN 24 '98
DEPT. OF STATE

Mr. John Goodnow

To the Department of State

3rd. ASST. SECRETARY.
JUN 29 1898

Subject:

Death of B. B. C. Powell.

Letter of June 27. 98 from U.S.M. Prest. Boston copy to Bur. July 1.

See also no. 57 of Feb. 25. 1898 from Shanghai

Abstract of Contents.

One enclosure. Death notice.

Shanghai, December 30 1837

John Goodnow

Death of B. B. G. Powell.

One enclosure. Death notice.

No. 32

Consulate-General of the United States,

Shanghai, December 20 1897 , 189 .

Honorable William R. Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to report to you the death of Benjamin B. C. Powell, late of Philadelphia, Penn.

The death occurred at the Shanghai General Hospital Dec. 16 1897 of cerebro-spinal meningitis. It is said that deceased's surviving relatives are a Mother and two sisters, now living in Philadelphia, exact address unknown here.

I have the honor to be,

Sir,

Your obedient Servant

John Goodnow

Consul General.

Death noti ce enclosed.

No. 33

Act + bonds for Jan 26

Consulate-General of the United States,

Shanghai, China, Dec. 20th, 1897.

INDEX BUREAU
REC'D
JAN 24 '98
DEPT. OF STATE

Mr. John Goodnow

To the Department of State.

Subject:

Bond of Vice Consul General

Abstract of Contents.

Inclosing bond of
E. T. Williams Vice Consul General

No. 33

Consulate-General of the United States,

Shanghai, China, Dec. 20th, 1897.

Honorable William R. Day,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to inclose herewith the bond of E. T. Williams nominated for the office of Vice Consul General. A similar bond was sent some weeks ago, but as you may prefer to have it on the printed form which you have forwarded to me I have had this duplicate prepared.

I have the honor to be, sir,

your obedient servant,

John Goodnow

Consul-General

One enclosure.

Consular Bureau

No. 31

Consulate-General of the United States,

Shanghai, China Dec. 30 1897, 189

CONSULAR BUREAU. NOTED

INDEX BUREAU REC'D JAN 21 '98 DEPT OF STATE

Mr. Goodnow.

To the Department of State.

3rd. ASST. SECRETARY. FEB 1 1898

Subject:

Death of William McKenzie.

Note. Incident - Copy to Comptroller Treasury Through Secy Interior

Abstract of Contents.

Enclosures.

Pension Certificate 24899.

Pension Voucher.

Certificate of death and of Coroner's verdict.

Copy verdict of Coroner's jury.

Enclosures.

Acknowledged 2/15.98

Copy to Interior

Inclosures

2/3, 1898

Brandon, Man. Dec. 20 1897

Deaths.

Death of William McKenzie.

Inquests. Coroners.

Pension Certificate 24809.

Pension Voucher.

Certificate of death and of Coroner's verdict.

Copy verdict of Coroner's jury.

No. 174

Consulate-General of the United States,

Shanghai, China. Dec. 30 1897 , 189 .

Honorable William R. Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to inform you of the death of William McKenzie, a Naval Pensioner of the United States living in Shanghai. He was found dead in his bed on the 24th day of Dec. 1897 between the hours of nine and ten P. M.

Certain bruises on his head and the rumors afloat of a brawl between the deceased and unknown parties determined me to hold a Coroners Inquest and I instructed Dr. Cox to make a post mortem examination to determine the exact cause of death. Dr. Cox reported that the man died of pneumonia of both lungs and the jury brought in a verdict to that effect. I enclose herewith a certified copy of their verdict.

Deceased left no effects except claim for pension from Sept. 4 1897. As I have personally guaranteed the physician's bill and the expense of burial, I forward herewith his pension papers in order that the amount due to Dec. 24 1897 may be sent to this office to be applied on these necessary expenses.

I have the honor to be,

Sir,

Your obedient servant

John Goodnow

Consul General

(A)

Enclosure.

IN THE UNITED STATES COURT FOR THE CONSULAR
DISTRICT OF SHANGHAI, CHINA.

I, JOHN GOODNOW, United States Consul General for China residing at Shanghai do hereby certify that I held an inquisition as Acting Coronor upon the body of WM. MACKENZIE late a native of Scotland aged about 48 years, at Shanghai on the 24th day of December 1897.

VERDICT OF JURY.

That he came to his death on the 24th day of December 1897, between the hours of 9 and 10 o'clock, p.m. thrcugh pneumonia of both lungs.

Dated the 27th day of December, 1897, Shanghai, China.

JOHN GOODNOW
U.S. Consul-General
Acting Coroner.

(SEAL)

A correct copy.

JOHN GOODNOW
U.S. Consul General
Shanghai, Dec. 30/97

(SEAL)

(A)

Enclosure.

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Dated the 27th day of December, 1897, Shanghai, China.

JOHN GOODNOW
U.S.Consul-General
Acting Coroner.

A correct copy.

JOHN GOODNOW
U.S.Consul General
(SEAL) Shanghai, Dec. 30/97

Enclosure)

CONSULATE-GENERAL OF THE UNITED STATES

OF AMERICA.

Shanghai, Decr.29,1897

I, JOHN GOODNOW, Consul-General of the United States of America, hereby certify that WILLIAM MACKENZIE, well known to me to be the man holding Pension Certificate No.24899, died in the city of Shanghai on the 24th day of Decr.1897, between the hours of 9 and 10, p.m. That Voucher for $24 for pension to Decr.4, was found in his trunk unsigned. That a post mortem examination was made and an inquest held, and a verdict returned that he died of pneumonia. That he was buried in Shanghai on Decr.27,1897. That he left no money nor effects, and that the expense of the post mortem and inquest and funeral expenses will more than take all his pension to the date of his death.

In witness whereof I have set my hand and the seal of this Consulate-General on the day and year above written.

JOHN GOODNOW

(SEAL) U.S.Consul-General.

Enclosure)

CONSULATE-GENERAL OF THE UNITED STATES

OF AMERICA.

Shanghai,Dec.29,1897

I, JOHN GOODNOW,Consul-General of the United States of America,hereby certify that WILLIAM MACKENZIE,well known to me to be the man holding Pension Certificate No.24899, died in the city of Shanghai on the 24th day of Dec.1897, between the hours of 9 and 10,p.m. That Voucher for $24 for pension to Dec.4,was found in his trunk unsigned. That a post mortem examination was made and an inquest held,and a verdict returned that he died of pneumonia. That he was buried in Shanghai on Dec.27,1897. That he left no money nor effects,and that the expense of the post mortem and inquest and funeral expenses will more than take all his pension to the date of his death.

In witness whereof I have set my hand and the seal of this Consulate-General on the day and year above written.

JOHN GOODNOW

(SEAL) U.S.Consul-General.

(Enclosure)

N A V Y

No.24899 Original

UNITED STATES OF AMERICA

DEPARTMENT OF THE INTERIOR

Bureau of Pensions.

It is hereby certified That in conformity with the laws of the United States WILLIAM MACKENZIE who was a Machinist,United States Navy, - - - - - - - - - - is entitled to a pension at the rate of Eight dollars per month,to commence on the eighteenth day of May,one thousand eight hundred and ninety-six and to end May 17,1906. This pension being for Ten years service.

Given at the Department of the Interior this Eleventh day of December one thousand eight hundred and ninety-six and of the Independence of the United States of America the one hundred and twenty-first.

DAVID R.FRANCIS

(SEAL) Secretary of the Interior

Countersigned:

D.I.MURPHY

Commissioner of Pensions.

(Enclosure)

NAVY

No. 24899 Original

UNITED STATES OF AMERICA

DEPARTMENT OF THE INTERIOR

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DAVID R. FRANCIS

Secretary of the Interior

(SEAL)

Countersigned:

D. I. MURPHY

Commissioner of Pensions.

(Enclosure)

Roll No.1133 INVALID. Navy. A

Be it Known,That I.WILLIAM MACKENZIE,do solemnly swear that I am the identical person named in pension certificate in my possession,No.24899,dated 11 day of Dec.1896, and whose name is inscribed on the rolls of the Washington Agency at the rate of $8 per month.

That I have not been employed or paid in the Army,Navy, or Marine Service of the United States from 4 day of Sept. 1897,to the present time,and that my present P.O.address is

---

County of ----------, State of ----------

(If pensioner signs by mark,two witnesses who can write.)

(Pensioner's signature)

Signature must be written letter for letter as it is in pension certificate.

THE PENSION CERTIFICATE MUST BE EXHIBITED TO THE MAGISTRATE WHEN THIS VOUCHER IS EXECUTED.

STATE OF ---------- COUNTY OF ----------, ss:

Subscribed and sworn to before me this --------- day of ----------,189 ; and I certify that the pensioner above named has this day exhibited to me his pension certificate,above described,and was fully identified as the pensioner named therein,and that he signed the following duplicate receipts in my presence.

(The magistrate must certify) to any erasures or alterations.

Magistrate's signature ----------

Official character ----------

SEAL HERE.

(Enclosure)

Roll No.1153 INVALID. Navy. A

Be it Known,That I.WILLIAM MACKENZIE,do solemnly swear that I am the identical person named in pension certificate in my possession,No.24899,dated 11 day of Dec.1899, and whose name is inscribed on the rolls of the Washington Agency at the rate of $8 per month.

That I have not been employed or paid in the Army,Navy, or Marine Service of the United States from 4 day of Sept. 1897,to the present time,and that my present P.O.address is

County of ----------, State of ----------

(If pensioner signs by mark,two witnesses who can write.)

(Pensioner's signature)

Signature must be written letter for letter as it is in pension certificate.

THE PENSION CERTIFICATE MUST BE EXHIBITED TO THE MAGISTRATE WHEN THIS VOUCHER IS EXECUTED.

STATE OF ---------- COUNTY OF ----------, ss:

Subscribed and sworn to before me this ----------

day of ----------,189 ; and I certify that the pensioner above named has this day exhibited to me his pension certificate,above described,and was fully identified as the pensioner named therein,and that he signed the following duplicate receipts in my presence.

(The magistrate must certify to any erasures or alterations.

Magistrate's signature ----------

Official character ----------

SEAL HERE.

(Attached to foregoing)

THE PENSIONER WILL SIGN THESE RECEIPTS IN THE PRESENCE OF THE MAGISTRATE.

$24 ----------,189 :

Received of Sidney L.Wilson,U.S.Pension Agent at Washington,D.C. TWENTY-FOUR dollars by check No.---------- dated ----------,189 , being for 3 months'and ------- days' pension due me on pension certificate No.24899,from the 4 day of Sept.,1897,to the 4 day of Dec.1897,for which I have signed duplicate receipts.

On N.Y.

(Witness who can write)

---------- ----------

Sign name as above.

$---------- (A) ----------, 189 .

Received of Sidney L.Wilson,U.S.Pension Agent at Washington,D.C. TWENTY-FOUR dollars by check No.---------- dated ----------,189 , being for 3 months' and ---------- days' pension due me on pension certificate No.24899,from the 4 day of Sept.,1897,to the 4 day of Dec.,1897,for which I have signed duplicate receipts.

On N.Y.

(Witness who can write)

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Sign name as above.

(Attached to foregoing)

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dated ----------,189 , being for 3 months'and ------- days' pension due me on pension certificate No.24899,from the 4 day of Sept.,1897,to the 4 day of Dec.1897,for which I have signed duplicate receipts.

(Witness who can write)

---------- ----------

Sign name as above.

On N.Y.

$---------- (A) ----------, 189 ...

Received of Sidney L.Wilson,U.S.Pension Agent at Washington,D.C. TWENTY-FOUR dollars by check No.----------
dated ----------,189 , being for 3 months' and ---------- days' pension due me on pension certificate No.24899,from the 4 day of Sept.,1897,to the 4 day of Dec.,1897,for which I have signed duplicate receipts.

(Witness who can write)

---------- ----------

Sign name as above.

On N.Y.

File

The Solicitor

No. 35

Consulate-General of the United States,

Shanghai, China, Dec. 30 1897, 189.

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JAN 31 '98
DEPT. OF STATE

Mr. Goodnow

To the Department of State.

3rd. ASST. SECRETARY.
FEB 1 1898

Subject:

Decision in the case Shen Shing vs.
A. Woodward Bro's & Co.

Abstract of Contents.

Enclosures.

Petiton.

Demurrer.

Answer.

Decision.

Shanghai, China, Dec. 20 1897

Gentlemen

Relative to the case Shen Ching vs.
A. Woodward Bro's & Co.

Enclosures.
Petition.
Demurrer.
Answer.
Decision.

No. 35

Consulate-General of the United States,

Shanghai, China. Dec. 30 1897 , 189 .

Honorable William R. Day

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to hand you herewith the papers in the case of Shen Shing vs. A. Woodward Bro's & Co.

There were two other cases against the same firm arising out of a similar transaction. In the latter two, Woodward confessed judgment.

I have the honor to be,

Sir,

Your obedient servant

John Goodnow

Consul General

Ofc

In the United States Court for the Consular
District of Shanghai China

Shanghai the Second day of August 18

Between

Shen Shing (申興)
Plaintiffs

and

A. Woodward Brothers & Co
Defendants

To

T. R. Jernigan Esquire Consul Genera
and Judge in this Court

The Petition of the above-name
Plaintiffs showeth as follows:-

1.- The Plaintiffs are Chinese subjects re
at Shanghai in the Empire of China an
carrying on business as a Commission Agen
and Broker.

2.- The Defendants are American Citizens
carrying on business at Kobe in the Empi
of Japan and Shanghai aforesaid.

3. The Plaintiffs on the 1st day of July 1897
made a Contract with the Defendants in
Chinese through their Compradore Le Sau B
whose name in Chinese is(李少平) for sale
and delivery to them of Five hundred pie
of Raw Cotton at the agreed price of Sixte
Taels and Eighty Candareens of the Yuen
Loong Brand(雲龍牌) and another lot of
Five hundred piculs of Raw Cotton at the
agreed price of Taels Sixteen and Candareen

Seventy of the Sit King Brand (天 8# 牛) in all One thousand piculs to be paid for in cash on delivery without any deduction whatsoever — the said Cotton to be delivered in four — instalments.

4:- The Plaintiffs duly delivered Five hundred piculs of Cotton on the 15th day of July 1897 and received from the Defendants in part payment thereof the sum of Taels 6000.cc

5:- The Defendants on the 15th July 1897 — tendered in payment of the balance due on the said 500. piculs of Cotton a Cheque drawn on the Yokohama Specie Bank Limited No 05623 for Taels Two thousand three hundred and seventy two and Candareens sixteen (Taels 2372.16) in favour of the Plaintiffs payable on the 26th day of July 1897.

6:- The said Cheque on presentment on due date was dishonoured.

7:- The Plaintiffs on the 20th day of July gave an undertaking or Bond in Chinese the Defendants that they the Plaintiffs would deliver the second lot of 500. piculs of Cotton after the payment of the said Cheque. which Bond the Plaintiffs crave leave to refer to at the trial of this suit.

8:- The Plaintiffs have demanded payment from the Defendants of the said sum of Taels 2372.16 but the Defendants have refused and still refuse to pay the said sum of Taels 2372.16.

9:- The Plaintiffs have always been and are willing to deliver to the Defendants the — balance of the said Cotton contracted for as aforesaid upon payment for the same.

— The Plaintiffs therefore pray —

1.- That the Defendants may be decreed to pay to the Plaintiffs the sum of Taels 2372.16 and interest thereon at the rate of Eight per cent per annum till payment.

2.- That the Plaintiffs may have such further or other relief as the nature of the case may require.

The Defendants to this Petition are A. Woodward Brothers and Company of No. 16 Foochow Road Shanghai

H Clarke Wilkinson
Counsel for the Plaintiffs

申報館

Summons received to become returnable 2-2 [illegible]
M. Jennings
Compradore

THE UNITED STATES COURT
FOR THE
CONSULAR DISTRICT OF
SHANGHAI, CHINA.

Shun Sheng
vs
A Woodward Agent & Co

Petition

Filed Aug 2= 1897

Geo K. Eichelberger
Clerk of Court

In the United States Court for the Consular
District of Shanghai China

Shanghai - the seventeenth day of August - 1897.

Between

Shem Sheng

Plaintiff -

and

A Woodward Bros & Co

Defts

To John Goodnow Esqr

Consul General and Judge -

The defendants in the above cause demur to the above petition of the plaintiffs in that it does not show set forth a sufficient cause of action against them because the defendants have had no agreement with the plaintiffs, by which they the defendants could be held responsible by the plaintiffs with reference to the subject matter of their petition and file herewith exhibit marked A & B which are written contracts in proof of the same.

Therefore the defendants ask that the action against them be

dismissed and that they recover their proper
costs -

A. T. Woodward
principal of A. Woodward Bros & Co - Liquidated

Sworn this 17th day of September
A. D 1897 - at Shanghai
Before me -
John Goodnow
U. S. Consul General

recorded dec 23rd 1897
John Goodnow

THE UNITED STATES COURT
FOR THE
CONSULAR DISTRICT OF
SHANGHAI, CHINA.

Demurrer

Filed Sept 17. 1897

Geo K. Eichelberger
Clerk of Court

Copy

In the United States Court for the Consular District of Shanghai China

Shanghai Dec 23rd - 1897

Between

Shen Shing -

Plaintiff -

and

A. Woodward Bros & Co

Defendant.

For answer to the petition in the above action the defendants say -

1.- That the allegations in article 1 and 2. of the petition of the plaintiff, are admitted, except the allegation which alleges that the defendants are engaged in business at Kobe and this is denied.

2.- That the allegations in article 3 alleging a contract between the plaintiff and defendant are not denied Except the Allegation which alleges that the cotton was to be delivered in four instalments

3- That the allegation in article 4 are not denied -

4- That a cheque was Endorsed

but not in a way as alleged in Art 5

5— That the cheque was dishonoured as alleged in article 6, but upon instructions given to the bank by the defendants and for reasons which the defendants are prepared to state-

6— That the execution of the undertaking or bond as alleged in article 7 was in accordance with the express understanding that the cheque would be paid after the balance of the cargo was delivered, failing which the cheque would not be paid -

7- That the allegations in article 8 and 9 are denied-

8 - That for further answer to the plaintiffs petition the the defendants say that the plaintiff is indebted to them (the defendants) in the sum of Japanese Yen eighteen thousand only (¥18000) for violation of contract for failure to deliver certain cotton on account of which the defendants sustained a loss to the amount named and which they plead as an offset to any claim the plaintiff may have against them

9- That the defendants demand

judgment for costs - and such other
relief as the court may grant -

A Woodward
principal of A. Woodward Bros & Co (Liquidated)

Sworn and subscribed to
before me at Shanghai
Dec 23rd - 1897 -
John Goodnow
U. S. Consul-General

Copy

THE UNITED STATES COURT
FOR THE
CONSULAR DISTRICT OF
SHANGHAI, CHINA.

Sheng Sheng
vs
A Woodward Rest Co

Answer

Filed - Dec 23 - 1897

Answer

Geo H. Echelberger
Clerk of Court

Dec 24th A. D 1897

United States Court for the Consular district of Shanghai China } ss

vs. John Goodnow, U. S. Consul General acting Judicially, and Chas G. Bennett and A. W. Danforth - Assessors, having heard all the testimony in the case of Sheng Shing vs A. Woodward Bro & Co - and having duly weighed the same do find judgement against A. Woodward, doing business as A. Woodward Bro & Co in Shanghai, China, and as also Tracey Woodward & Co at Kobe Japan for the sum of two thousand - three hundred and seventy two Taels sixteen candareens. with interest thereon at the rate of six per cent per annum from July 26th, 1897 with the court costs of this action

In witness ~~whereof~~ of this verdict we have hereto set our hands and seal the day first above written

John Goodnow
U.S. Consul-General

Seal

Chas C. Bennett } Assessors
Albert W Danforth

Copy

CONSULAR DISTRICT OF
SHANGHAI CHINA

Shung Shuig

vs

A. Woodward Bro & Co

Judgment

Filed

Dec 24th 1897

Geo H. Eichelberger

Clerk of Court

Mr Chester D.
Mr Emory

No. 36
Ans'd Feb. 3/98.

Consulate-General of the United States,

Shanghai, China, Dec. 31 1897 , 189 .

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Hon. Goodnow.

To the Department of State.

3rd ASST. SECRETARY
FEB 1 1898

Subject:

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